THE BAHAMA ISLANDS

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THE BAHAMA ISLANDS

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HISTORY OF THE BAHAMA ISLANDS, WITH A SPECIAL STUDY OF THE ABOLITION OF SLAVERY IN THE COLONY

BY

JAMES MARTIN WRIGHT

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INTRODUCTION.

Investigation of the history of the Bahama Islands has been almost entirely neglected. Abundant materials for such a study are in existence, but, except for a pamphlet entitled *The Bahama Islands; Notes on an Early Attempt at Colonization,* by J. T. Hassam, efforts to present the substance of these materials to the public have been lacking. Numerous short sketches of the Colony have been given in histories, and accounts of travels in the West Indies, such as Edwards' and Coke's histories, McKinnen's *Tour of the West Indies,* Froude's *Bow of Ulysses* and G. J. H. Northcroft's *Sketches in Summerland.*

The history of the Bahamas presents many interesting problems. Among them, perhaps the most important, is that of the social elevation of the negro population. When Great Britain attempted to ameliorate the condition of these people she dealt with her West Indian possessions as if they were one body, and applied the same measures to all of them, notwithstanding the fact that many of their interests were actually divergent. This problem of amelioration in the successive stages of proscription of the slave trade, the regulations of the institution of slavery, and the transition to freedom through the apprenticeship system, was a living issue for many years, while the latest phase of the question, to wit, the education of the liberated negro, continues to be of the utmost importance to the people of the Bahama Islands.

The author of this paper, who was a member of the Bahama Expedition of the Geographical Society of Baltimore, spent the summer of 1903 at Nassau collecting materials on the history of the Bahama Islands, and the results of his researches are here presented.

The despatches of the Governors and the Secretaries of State for the Colonies contain much information of great value, but there are certain gaps

in the records. None of those of the former, and only an incomplete file of the latter, for the period before 1829, are to be found in the archives of the Bahama government, although they are nearly complete after that time. The Governors' despatches are lacking also for more than a year in the period of the apprenticeship system.[1]

The author wishes to acknowledge the kindness of His Excellency, Sir Gilbert T. Carter, the former Governor of the Bahamas, of his Secretary, Mr. H. S. Gladstone, of Mr. S. H. O. Clutsam, custodian of the records of the House of Assembly, and of other officials of the government, in granting him access to the public archives, and in furnishing him information that could not be gained from the records. Acknowledgments are also due to Professors John M. Vincent and W. W. Willoughby and Dr. J. C. Ballagh, of the Johns Hopkins University, for counsel and criticism in the prosecution of this study.

HISTORICAL SKETCH OF THE BAHAMAS PRIOR TO THE NINETEENTH CENTURY.

The landfall of Columbus on his first voyage to America was one of the Bahama Islands. The question as to whether it was the present San Salvador or Watlings Island on which he first set foot is still a matter of controversy, and from evidence that has been brought to light it would seem that the dispute can never be definitely settled.[2] But this coincidence, interesting though it is, influenced little the later history of the Bahamas. At the time of the discovery the Islands were inhabited by Indians who received the name

[1] The chief sources used in writing this were:
Votes of the House of Assembly.
Votes of the Council (on the Legislative side).
Despatches of Governors to Secretaries of State for the Colonies. (1829-1849).
Despatches of Secretaries of State to the Governors. (1815-1849).
Miscellaneous Letters of Governors. (1838-1851).
Royal Gazette (Newspaper published at Nassau).
Session Papers of Parliament.
Relating to Slavery and Abolition, 1831-2, 46; 191, ff, and 297, ff; *loc. cit.*, 20, questions No. 2811 to 2863; also 1836, 49 and pp. 502-547.
Relating to Land System and Apprenticeship, 1839, 35, 143, pp. 1-42; *loc. cit.*, 37, 487, pp. 1-20.
Annual Register.
Bahama Statutes.

[2] See discussion of this question by Fox in an article entitled "Attempt to Solve the Problem of the First Landing Place of Columbus in the New World," in *U. S. Coast & Geodetic Survey Repts.*, 1880, *pp. 346-411.*

of "Lucayans." Subsequently the Spaniards came and enticed them away, or forcibly deported them, to end their miserable lives in slavery in Spanish mines at Hispaniola and elsewhere. It is said that the Spaniards returned again and again to the Bahamas to kidnap the Indians until the Islands were completely depopulated of their native inhabitants, and left desolate. This may be too strong a statement of the case, but it is certain that there are no Lucayan Indians living in the Bahamas to-day, nor are there any traces of Lucayan blood to be seen in the present inhabitants. The Indian as an element in the population has completely vanished, and the only trace of his former existence in the Bahamas is the occasional discovery of Lucayan bones in lonely caverns scattered throughout the archipelago. Most of these remains have found their way to various museums in America, but a nearly perfect skull is now on exhibition in the Library at Nassau. A glance at this skull (Plate LXXX) will show that the Lucayan Indians possessed considerable cranial capacity, although they practiced artificial flattening of the head.[1]

Another thing that attracted Spanish adventurers to the Bahamas was the fabled Fountain of Youth reputed to be located in or near them. The aged Ponce de Leon, who was guided to the Bimini Islands in 1513, actually bathed in a fountain there but was forced to turn away a disappointed man, without the restoration of his youth which he so much desired.

The title to the Lucayan Islands, as the Bahamas were first called, which was given to the Spaniards by the Pope, was not left undisputed. English sea-rovers haunted the West Indies in order to prey on Spanish commerce, and pirates who early resorted to these waters and rapidly increased in numbers, found among the keys of the Bahamas, havens of retreat where they could easily elude the clumsy Spanish galleons.

In 1578, Queen Elizabeth granted Sir Humphrey Gilbert a title to lands in these parts not occupied by subjects of any other Christian power. Sir Humphrey included the Bahamas in this grant, although he made no attempt to settle them. But on October 30, 1629, another grant including the Bahama Islands was made by the sovereign of Great Britain, this time to Sir Robert Heath, the Attorney-General. A few colonists were sent out under this patent and a settlement was formed on New Providence. This settlement was ill-fated, for the island was visited in 1641 by a force of Spanish seamen and

[1] For further discussion of Lucayan Indian remains, see paper by Prof. W. K. Brooks, *On The Lucayan Indians*, National Academy of Science, Vol. IV, pp. 215-222, Pls. I-XII.

the small band of Englishmen was captured and carried away. The place was then taken possession of by the Spaniards and held for about twenty years.

In the meantime, while the Spanish were still in possession of New Providence, a band of religious exiles, driven out from Bermuda, sailed southward to the Bahamas in 1649 and founded a settlement on the island of Eleuthera.

The colony at New Providence did not attract a large number of settlers. It had a small force of defenders, generally less than fifty in number, and was consequently a prey for the spoiler. It was taken from the Spaniards in June, 1666, and Major Samuel Smith was sent from Jamaica with a small force to hold and govern it in the name of the King of England. The Spaniards assailed it again but without success and it continued in the hands of the English. Sir James Modyford, a brother of the Governor of Jamaica, was commissioned as Governor of the Bahamas in 1666.

The efforts to colonize these Islands had thus far had meager results. Little had been done to secure peace and safety. A more dignified effort was authorized by Charles II in 1670 when he granted the Lords Proprietors of the Carolinas a charter for the establishment of a government in the Bahamas and charged them to give these Islands the same kind of government as the Carolinas. Captain John Wentworth was made Governor in 1671 with instructions to choose a Council which should propose bills to the local parliament for passage. He was further instructed to permit no person either to cut braziletto wood without license except on his own estate, or to coast for ambergris or wrecks, or fish for whales without license. In the following year the new Governor complained to the Governor of Jamaica that his colony of five hundred souls had been left without the means of protection, and that the Proprietors had issued no commands to him about it. He also asked for supplies from Jamaica. The need of more adequate defenses was shown in January, 1684, when a number of Spanish ships from Havana under Juan de Larco captured and plundered the town of Nassau.

It would seem that the Spanish were not without provocation for this descent upon Nassau, for one Robert Clarke, who was Governor at the time, acting without authority from London, had issued commissions to privateers to prey on Spanish commerce. As soon as this insubordination was discovered in London, a successor was sent out with instructions to arrest Clarke and send him back to England for trial. But England was too late. Lilburne, the new Governor, was attempting to check the evils resulting from the conduct of his predecessor when the Spanish appeared and sacked the town. The

Spanish were now thoroughly angered. To their minds there were two reasons why Englishmen might be preyed upon: first, they were despised as heretics, and second, they had no rights in these seas and territories granted to Spain by the Pope.

Under such conditions trading became hazardous in the Bahamas and no Englishman could venture near them without a convoy. Protests were of no avail. The Spanish Governor-General at Havana only sent back defiant messages when appeals were made to him to put an end to the depredations. But the Spanish were not long to enjoy the possession of New Providence. The English Governor was soon restored, and, with his return to Nassau, a new period of piracy was ushered in.

Buccaneering was indulged in freely by the inhabitants of the place. For brief periods, to be sure, during the next thirty years attempts were made to preserve law and order, but without avail, as so large a number of the population was engaged in piracy or at least in sympathy with it, that it was not possible for the government with the force at its command to stamp it out. A law-and-order governor was intolerable to the rovers. If he would not join in, or at least connive at, their conduct, he would be taken prisoner and held by the pirates. In 1703-4, when a combined French and Spanish expedition took the settlement by surprise and carried away the principal inhabitants to Havana, the pirates reigned with a freer hand than ever before.[1]

Piracy with this settlement as a base became such a menace to the commerce passing through these waters that merchants in Great Britain pressed upon George I to put a stop to it. The Lords Proprietors, who had so poorly succeeded in their enterprise, surrendered their control of the civil government to the Crown, and in 1718 Captain Woodes Rogers, a hardy and fearless seaman, became Governor of Nassau. He restored order, punished or drove out the buccaneers and made the place a respectable one in which to live. He was supported with forces sufficient to establish his control, and with funds to make fortifications for security against invaders. The Colony prospered from this time, attracting numerous settlers, among whom was a company of German Protestants from the Palatinate. More extensive fortifications were undertaken in 1738 under the direction of Peter Henry Bruce, of the engineer corps of the Royal Navy. He has left an interesting account of his work here in his memoirs.[2]

[1] Northcroft, Sketches of Summerland, pp. 274-282.
[2] Memoirs of Peter Henry Bruce.

In 1775, Commodore Hopkins, of the new American navy, captured Nassau, evidently expecting to secure possession of the stores of powder deposited there. Failing in this, owing to the vigilance of the Governor, he sailed away a few days later taking the Governor and a few others as prisoners of war. Only a small force of defenders remained throughout the remainder of the American Revolution.

In 1781 the Spaniards appeared at Nassau again, defeated the British, and kept a large garrison there for nearly two years. After the conclusion of the treaty of peace between Great Britain and Spain in 1782, but before it had been announced in the Southern States, an expedition organized by Loyalists from the Carolinas and Florida took Nassau from the Spaniards. This expedition was undertaken as a private enterprise by Major Andrew Deveaux and Captain Daniel Wheeler. A few recruits had been picked up at Harbor Island and several vessels that were met on the way joined with the party. By this small party, of not more than 225 men, the Spanish Governor was taken by surprise and induced to surrender a force nearly three times its size. Deveaux took possession with a garrison of fifty men and sent part of the Spaniards to Havana.

Upon the separation of the Thirteen Colonies on the continent from Great Britain many of their inhabitants preferred to remain British subjects rather than become citizens of the States. The unpleasantness of their situation among the successful revolutionists was increased by the bitterness of the latter toward them. For these and other reasons many emigrated from the States to territory that still remained British. This exodus was encouraged by the favorable conditions offered to those who wished to settle in the Bahamas. Vessels were also provided by the Crown to bring to the Colony all who desired to leave the Southern States for British territory. On September 10, 1784, instructions were issued to Lieutenant-Governor Powell to grant unoccupied lands in the Bahamas as follows: To every head of a family forty acres, and to every white or black man, woman or child in a family, twenty acres, at an annual quit rent of 2s. per hundred acres. But in the case of the Loyalist refugees from the continent such lands were to be delivered free of charges, and were to be exempted from the burden of the quit rents for ten years from the date of making the grants. At about this time Governor Patrick Tonyn of east Florida gave public notice in that province that the last vessel transport would leave the port of St. Marys, Florida, on March 1, 1785. He advised all persons of English blood to leave Florida for the Bahamas before the Spanish Governor took possession.

It was not, however, without regret that some of the Loyalists left the continent. Fears were expressed that the Islands were not as productive as they were represented to be. It was a choice between the evils and dangers of living under Spanish rule and going to a colony whose resources were doubtful. Many, however, chose the latter, and came over, bringing with them their slaves. The white population of the Bahamas was doubled by these immigrants, and the negro population was nearly trebled. Many of the newcomers were cotton planters. These set to work at once with their slaves clearing lands and planting crops, and soon brought the Colony to some importance as a producer of cotton.

On the part of the older native inhabitants of the Colony there was a prejudice against the unfortunate exiles. Governor Maxwell was not above sharing in these feelings, and yielding to them in his official conduct. He was therefore disliked by the refugees. Upon his departure from Nassau an address of regret at his leaving was presented to him. It was alleged that the Loyalists acquiesced in the sentiments expressed in it. The spokesman of the latter, however, disavowed any connection with the address, and this denial was approved by a meeting of the Loyalists. They found abuses existing both in the laws themselves and in the administration of them. Some of the statutes, they said, were repugnant to the laws of the mother country. They accused the Governor of attempting to deny to them the right of trial by jury, a right which they considered as belonging to every Englishman in any British territory. They also accused the Governor of further oppressive and tyrannical conduct towards them. They demanded reforms, and claimed to have effected a reform in the administration of justice. The legislature was under the control of the native inhabitants. The election of 1785 had occurred before the Loyalists had begun to assert their power and they were in the minority in the House of Assembly. The Lieutenant-Governor, being unfavorable to the cause of the Loyalists, would not dismiss the Assembly and call another. Therefore the desired reforms could not be brought about. Several members of the House who were favorable to the refugees withdrew from the House rather than acquiesce in such conduct as that in which it indulged. The House required the attendance of some of them, and when they still persisted in their refusal to sit in it they were declared incapacitated for holding seats in that body.

When John, Earl of Dunmore, became Governor in the latter part of the year 1786, he too came under the influence of the same party that had sup-

ported Governor Maxwell, and did not respond favorably to the appeals of the Loyalists, who had now become the stronger party in the Colony. There was a general desire that the Assembly should be dissolved and a new one called. Petitions asking for this came to the new Governor from New Providence, Exuma, Abaco and Cat Island. In 1785 a like petition from the Loyalists was read in the House of Assembly. That body immediately ordered the document to be burned by the common hangman before the door of the House, as the majority of the existing Assembly was favorable to the policy of the Governor. The latter listened to the petitions of the Loyalists, deliberately considered them and replied that he did not consider it expedient to dissolve the Assembly. He persisted in his refusal and at the close of his administration the Assembly called in 1785 had endured almost nine years. After the departure of Dunmore from the government an act passed the legislature limiting the duration of a legislature to seven years, in order to obviate such a difficulty as that which the Earl of Dunmore had brought upon the Colony.

In 1787 the Lords Proprietors of the Bahamas surrendered their title to the lands of the Bahamas to the Crown on the payment of £2000 to each of them. The granting of lands and the collection of the quit rents became rights of the Crown. The quit rents were poorly collected at this time, and after the close of the eighteenth century they fell still further into arrears.

Although the Colony was prosperous for a number of years owing to the great stimulus given to it by the new immigrants, this prosperity was not destined to be permanent. The soil, which at best was thin, was exhausted of its strength by the middle of the first decade of the nineteenth century. Its value decreased, and with it passed away a great part of the value of the slaves that had been employed upon it. Some of the planters now emigrated with their slaves before the prohibition was laid on the exportation of slaves from British colonies. The restrictions on the holding and working of slaves were gradually tightened. Attempts were made to secure the right to emigrate with them, but no relaxation in these restrictions occurred. The interest of Bahama slaveholders had thus to suffer owing to the necessity of enforcing a uniform system of regulations against the slave-trade.

With this brief notice of the early history of the Colony we will now turn our attention to a more minute study of the conditions which brought such hardships to the slaveholders of the Bahamas.

AMELIORATION OF THE CONDITION OF THE SLAVES.

Abolition of the Slave-Trade.

In all of the West Indian colonies of Great Britain the slaves gradually increased until they composed the greater part of the population. Early in the history of each it had been discovered that the employment of slave labor was profitable, owing to the favoring conditions of soil and climate. The enterprising English merchants of the seventeenth and eighteenth centuries realized this, and also saw the opportunity of making great gains by supplying the settlements and plantations with the much-needed labor. The slave-trade, which began to meet this demand, grew to great proportions until it reached its height in the latter half of the eighteenth century. The trade in its mildest form was a barbarous illustration of man's inhumanity to man; nevertheless it was fostered under various guises by royal courts, and in addition to the lucrative returns to both trader and planter, the alleged improvement in the condition of its victims was put forward in its justification. The scenes where it was carried on were far removed from the mass of the English people, and the actual conditions under which it flourished were not well known outside of a very limited circle, until late in the eighteenth century, when the inquiring minds of the reformers began to investigate this trade as one thing that demanded their attention. Agitation against the slave-trade was begun and kept up, gradual accessions being made to the ranks of the reformers, until at the close of the Napoleonic period the whole world began to feel the influence of their labors in behalf of the negro. Public men of weight and influence were numbered among the enemies of the trade, and their demands for reform could be heard in the Cabinet, in the Houses of Parliament and throughout the country. For the British Empire the slave-trade had been abolished in the year 1807. Attempts had been made to make that abolition effective, but great difficulties had to be met and overcome. Nearly all the rest of Europe and the Americas were engaged in the enterprise and, besides, many Englishmen dared allow their capital to be used in it. The agitation of the reform party grew in importance with the passing of the years, the leaders gained increased audience among all classes, and the feeling against the now illegal traffic rose to a high pitch. Perhaps the most active agency in spreading the reform was the African Institution which worked in London, and which came into especial prominence in the years 1814-1815. This society had in view the amelioration of the condition of the

slaves in the British possessions, and the doing away with the slave-trade. Although it became the object of the hatred and of the anathemas of slave owners in the colonies, yet it bore an important part in the proscription of the slave-trade, as well as in the improvement of the condition of the slaves already in the colonies.

Having met with success in the British Empire it was necessary for the reformers, supported by the sympathies of the English people, to strike at the same evil in other countries in order to make effective the abolition within their own possessions. They went about their task in a masterful way and before many years success attended their efforts. Treaties were formed with the other European nations to put down the trade on the high seas, and attempts were made to get each nation to proscribe it within the territories and waters which it controlled. A nominal abolition of it was secured, but some of the nations, as Spain and Portugal, were backward in strictly enforcing the regulations made to destroy it within their own dominions.

Registration of the Slaves.

The effective means by which it was hoped to finally stamp out the slave-trade in the British colonies was the periodical registration of the slaves already in their limits. In this respect, as in its whole program in the interest of the slaves, the British Ministry, now dominated by the party of reform, strove to set an example which the rest of Europe might imitate. Great Britain had led in proscribing the commerce in slaves, she must also lead in giving effect to the abolition of the system. Registration was first urged in the imperial Parliament by Mr. Wilberforce and Lord Brougham, as a measure that should be passed, and applied at once in order to forcibly exclude the importation of slaves into the colonies by imperial regulations.[6] West Indian planters and slave owners residing in the mother country were on the alert immediately, calling upon those who supported their interests in Parliament to obstruct such legislation by every means in their power. Rumors of the proposals made to Parliament reached the colonies, where the feeling against such action was unanimous on the part of the white population. Whatever steps might be taken in the mother country to prevent the passing of such a bill were sure to have their approval. The West Indian merchants and plant-

[6] Ann. Reg., 1810, p. 145; 1815, p. 28 and pp. 87-88; 1817, p. 94.

ers in the city of Bristol presented a petition in 1816 deprecating the interference with the local institutions in the colonies.[7] In the Bahamas the tidings of the activity of the opponents of slavery and the slave-trade seemed to be unknown, or at least unnoticed, until the year 1815, when, on the return of some inhabitants of the Colony from London, information of the movement was brought to them. Two publications of the African Institution, one *"A Plan for the Prevention of the Unlawful Importation of Slaves,"* the other a pamphlet entitled *"Reasons for Establishing a Registry of Slaves,"* were laid before the local Assembly.[8] Wild misapprehensions at once beset the members of the House of Assembly. Almost total ignorance of the intentions and methods of the African Institution, or as to what Parliament might do, prevailed. It was only known that something was proposed to be done for the regulation of their slave property; it might be anything. In this state of mind the Assembly met in the summer of 1815. Dissatisfaction was expressed by some of the members at the failure of the Colonial Agent, George Chalmers, to keep their commissioners of correspondence informed of the progress of this dangerous movement. Believing that a total destruction of the slave property of the British West Indian colonies had been determined upon, regardless of the rights and interests of those concerned, the House decided upon an appeal to Parliament.[9] A committee set to work to inform the House of the progress of the movement for registration. It described the African Institution as a society "having no connection with, or interest in, the colonies, and ignorant of the conditions in the colonies, and of their local interests and usages," which had "put on foot ruinous schemes, and proposed colonial degradation and injury on a comprehensive scale." In behalf of the Bahamas, the committee denied the existence in them of the evils of which the reform party complained; denied that registration could remedy such evils if they did exist; and expressed their conviction that, according to English law, their "venerable charter of privileges" was to protect them from any such interference from outside the Colony.[10] The whole report is taken up with an arraignment of the abolitionists and a refutation of fancied arguments in favor of the registration. The presentation of it was followed closely by a set of resolutions on the rights of colonial Englishmen, which, together with the

[7] *Loc. cit.*, 1816, pp. 87-88.
[8] H. V., 1815, p. 105.
[9] H. V., 1815, p. 45.
[10] *Loc. cit.*, pp. 105, 106.

report, was forwarded to the Colonial Department at London to form the first part of the protest of this Colony against the registration system.[11]

Debates in Parliament.

On the floors of the English Parliament the registration question called forth serious debate. On the one hand, Wilberforce pressed the matter without questioning, in his own mind, the right of Parliament to take action, or the expediency of acting at once to suppress the trade; on the other hand, Lord Castlereagh suggested that it would be well to ask the coöperation of the colonial legislatures in excluding the slave-trade from the British possessions, stating that "nothing short of absolute necessity should urge the assertion of the right of Parliament to legislate for the colonies, and especially on a measure that would subject them to a tax without their own consent."[12] There was no change in the view of the leading spirits in the movement as to the power of Parliament to go ahead and make regulations as demanded by the extreme members, but the milder counsels prevailed so far as to determine the Commons not to act at once. The experience of the year that had just passed was sufficient to prove the folly of attempting to compel the slaveholding colonies to accept imperial regulation of so vital an institution as slavery. Parliament decided to defer in the matter to the colonial legislatures, each to act for the colony under its jurisdiction. The principles on which this legislation was to be based were to be laid down by the home government, and sent to the colonies as recommendations for the laws they were expected to pass.[13] These recommendations were at first mere outlines of the principal points on which it was desirable to obtain action from the legislatures; in time they grew to greater proportions and the program developed with the experience of the Ministry in dealing with the question, until finally they were brought to the necessity of sending out for the legislature exact detailed models of the statutes which the latter was expected to pass. Here began a struggle between the local governments of the colonies, supported by the Ministry and the moral influence of Parliament, on the one hand, and the local legislatures on the

[11] *Loc. cit.*, p. 164. A request to the Colonial Agent was to accompany these documents, to the effect that he should circulate them as a refutation of the charges that had been made against the West Indian slaveholders. The report stated that the Bahama people would resist to the point of emigration rather than submit to any such regulation by the home government.

[12] Ann. Reg., 1816, pp. 87-89.

[13] H. V., 1816, pp. 12-16.

other, which in the Bahamas continued for nearly fifteen years. At first the principal emphasis was laid on the need of registration, and within a few years a satisfactory registration system was secured in this Colony. The greater controversy, however, was over the remainder of the program of amelioration, a matter of much greater importance to the Bahamas, and it was not finally settled until the abolition of slavery by the imperial Parliament in the year 1833.[14]

Now that the duty of laying the question of a reformation of the colonial institution of slavery before the colonial legislatures devolved upon the Cabinet it was taken up at once, and recommendations were pressed upon the attention of these bodies. In the Bahamas the Colonial Department found an instrument to do its bidding in the Governor, Charles Cameron. Drawing from the instructions sent to him, he urged upon the legislature, with skilfully presented arguments, the consideration of, and action upon, measures for the exclusion of the commerce in slaves, and for general amelioration.[15] In the first place it was necessary to clear away the unfounded misapprehensions of the colonists as to the intentions of the leaders in the movement in the mother country, and especially as to the African Institution, in which the colonists could see every form of evil intention towards the colonies. The welcome intelligence that the manumission of the slaves was not intended by the authorities, was distinctly set before the legislature.[16] It was admitted that the character of the West Indian slaveholders and planters had been grossly misrepresented, but it was urged that the colonies now had a most favorable opportunity to redeem their bad reputation; that the intention of the King and the Ministry was to enforce the acts and treaties for abolishing the slave-trade, and that a refusal on their part would only serve to confirm the suspicions of their bad character.[17] It was also represented that the determination of the home government to permit local legislation in each colony for itself was a great concession and the legislatures ought to act the more cheerfully, since the legislation was to be by voluntary action of the colonies.[18] But the strongest reason for pressing these measures on this particular Colony

[14] In general the references on this last point are the despatches of the Governors and the Secretaries of State, the House Votes, Council Votes, and the local newspapers for the period 1815-1833.

[15] H. V., 1816, pp. 27, 28.

[16] H. V., 1816, pp. 12-16.

[17] *Loc. cit.*, pp. 12-16.

[18] *Loc. cit.*, pp. 12-16.

was that it was necessary to include it in a general registration system for all the West Indian colonies of Great Britain. These colonies were not allowed to trade with the colonies of foreign nations, although they could trade among themselves, and if any one of them, as the Bahamas, were left out of the registration system it might become an entrepot for traffic in slaves, and thus the whole of the British West Indian colonies could obtain a constant supply. This was the final and conclusive reason for the inclusion of the Bahamas in the general system of registration in the British colonies.[19]

Protest of the Bahamas.

On the part of the Colony there was no lack of arguments against the imposition of such a vexatious system. The legislature began with a complete denial of the existence, in the Bahamas, of the evils which the registration system was calculated to remedy, and easily came to the conclusion that there was no necessity for the registration of their slaves.[20] It was ascertained that the price of slaves had been greater in Cuba and Jamaica than in the Bahamas since the year 1810, thus showing the "absurdity" of registering Bahama slaves to prevent the importation of fresh recruits to the slave population of this Colony.[21] The value of slaves in this Colony had depreciated during the several years previous to this agitation.[22] The Assembly declared, however, that even if the evils complained of had existed, such a system as the proposed registration would not be sufficient to put a stop to it.[23] It was also argued that it would entail a great expense on the Colony by an unnecessary addition to the civil establishment;[24] that the measures Parliament had already taken for the suppression of the slave-trade were sufficient to put it down without the necessity of any action on the part of the Colony.[25] Finally the members of the House found themselves so firmly convinced of the inexpediency of the measure that they resolved not to become "the arbiters of the ruin of the Bahamas," and refused to act at all.[26] To the Governor, the House

[19] H. V., 1816, p. 27, portion of a letter from a member of the African Institution which the Governor laid before the Assembly.

[20] H. V., 1815, pp. 105, 106, and app., pp. 46, 47; 1816, pp. 101-103.

[21] H. V., 1816, pp. 83-101.

[22] *Loc. cit.*, 1815, app., pp. 46, 47.

[23] *Loc. cit.*, 1815, pp. 105, 106.

[24] *Loc. cit.* The item of expense without a return to the treasury of the Colony was sufficient to condemn any measure in this body.

[25] H. V., 1816, p. 103.

[26] H. V., 1816, pp. 117, 118. Address of the House to Governor Cameron.

freely expressed the slaveholders' opinion of the anti-slavery party in the mother country. After an exhaustive argument of the whole question to him they continued as follows: "With all due respect to Your Excellency's message, this Colony has already felt too deeply the baneful effect of the abolition influence in various ways not to regard with additional dread every new approach of that party to the pestilential dominion they are laboring to establish over the whole West Indies. Being persuaded that that party has visionary objects the House must declare that it will not be the arbiter of the ruin of the Bahamas."

The Wylly Affair.

This was the state of affairs and of opinion in the Colony, when an incident occurred which aroused such an excited state of feeling, involving the legislature and the whole local government in such difficulties that the possibility of legislation on the important matter of registration of the slaves was precluded for a term of four years.

In the year 1809 a female domestic slave, named Sue, was brought to Nassau from the State of Georgia. She was kept at Nassau until 1816. In the latter year her master came to Nassau, accompanied by a male slave, named Sandy, and attempted on his return to take the two slaves, together with an infant child of the former, back to Georgia with him.[27] The slaves absconded, were seized and imprisoned to await the day of their owner's departure. Attorney-General Wylly seized upon them, and prosecuted them on the ground of unlawful importation. Sandy and the child were restored to their owner, but Sue was condemned on an allegation that she had been offered for sale.[28]

The local House of Assembly, with its accustomed diligence in taking account of everything in connection with the government of the Colony, objected to the conduct of the Attorney-General.[29] It appeared that the Attorney-General had given a written opinion that, under the imperial statute of the year 1806 regarding the removal of slaves from any part of the British dominions, slaves brought into the Colony might be sold there, or freely taken away, according to the will of the owner. His new opinion, involving the use of license and bond for removals under the same act, was odious to the members of the House.[30] A report gained currency that the Attorney-General

[27] H. V., 1816-17, p. 143.
[28] *Loc. cit.*
[29] *Loc. cit.*, p. 153.
[30] H. V., 1816-17, pp. 153-156.

had been in communication with the African Institution in London, and was keeping that hated society informed as to the attitude of the Colony toward the Registration Measures.[31] The House determined to investigate the conduct of this official. When he was asked to appear before a House Committee he answered in terms that to the House seemed contemptuous. His arrest was ordered by a vote of the House—he should answer for his contempt of its summons and his misrepresentation of the proceedings of the House in the last session.[32] The House messenger reported a fruitless search for the person of the Attorney; and further that he had been resisted by armed slaves on the premises of the latter.[33] This was unbearable. Such "repeated and daring contempt," such a dreadful example to slaves to arm themselves in defiance of authority, decided the House at once on the downfall of the man who had dared to oppose its wishes. The Governor was asked to suspend him from office without delay. He was arrested and imprisoned, but within an hour thereafter he was delivered from the gaol by the order of the Chief Justice.[34] The House grew violent, and attacked the court for what it regarded as "highly unconstitutional, illegal, and unprecedented action" in releasing the prisoner. Again it ordered the arrest of the released prisoner.[35] At this point the Governor interfered with a proclamation dissolving the House.[36] In this course the Governor was supported by the home government.[37]

Three days after the dissolution of the House a public meeting was held at Nassau on January 31, 1817, which expressed unanimous approval of the action of the House. Resolutions were drawn up and adopted sanctioning the commitment of the Attorney-General, disapproving the conduct of the General Court, declaring that conduct unconstitutional and subversive of the rights of British subjects, further that it tended to the degradation of the House of Assembly from its unquestionable position of authority, and claimed for it the same position in the Colony that the House of Commons held in the mother country, therefore the superior of all courts. Apprehension of grave consequences, on account of the untimely dissolution of the House, pervaded these

[31] *Loc. cit.*, p. 157.

[32] H. V., 1816-17, p. 161. See also denial of Attorney-General in the *Royal Gazette* for Feb. 8, 1817.

[33] *Loc. cit.*, p. 167.

[34] *Loc. cit.*, p. 177.

[35] *Loc. cit.*

[36] *Loc. cit.*, p. 178.

[37] H. V., 1817, p. 17.

resolutions. People feared an uprising of the slaves, and there was such excitement that few local men could have spoken calmly of the situation.[38]

The next meeting of the local Assembly occurred in September of 1817. In the interval the people and the representatives, whom they had returned to the new Assembly, had not forgotten their grievances. It could scarcely have been expected that this body would have proceeded to business without any reference to the difficulties of the preceding winter; still it was hoped that an interval would serve to bring about a calmer state of feeling. But the new House was of no better disposition than the old one had been. After learning from the Governor that the home government had disapproved their unauthorized assumption of the power of imprisonment,[39] they adopted the same line of conduct that their predecessors had followed. The membership of this House was almost the same as that of the former, and their opinions had not altered a jot. Absolute supremacy within the Colony was their claim; they held that they were the sole judges of their own privileges,[40] and still confidently expected to be justified by the Prince Regent. They persisted in their endeavors to humble the Attorney-General, but without avail. Bills were ordered reversing the judgments in the Wylly case;[41] but the very same official personages, against whose action these measures were directed, also held seats in the Council which had a share in legislating. As judges of their own cause, they naturally threw out these bills.[42] The Provost Marshal who had assisted in the arrest of the Attorney-General was arraigned before the bar of the House to make an apology for his conduct in that affair which he had made public.[43] A bill for the registration of the slaves was passed, but it was intentionally framed so that neither the Council, Governor, nor home government would accept it.[44] Not least of these attempts to shift to the Council the responsibility for the lack of legislation was the passage of an appropriation bill omitting provision for the salaries of the Attorney-General and the Justices of the General Court.[45] They resolved not to pass any legislation at all, except for the purpose of preserving the public credit, and for the reëstablishment of their own

[38] *Royal Gazette*, IV (1817), No. 337.
[39] H. V., 1817, pp. 17-18.
[40] *Loc. cit.*, p. 20.
[41] *Loc. cit.*, pp. 34-36.
[42] *Loc. cit.*, p. 109.
[43] *Loc. cit.*, p. 38.
[44] H. V., 1817, p. 109.
[45] H. V., 1817, p. 128, address to the Prince Regent. The salaries of these officials were rarely granted for longer than one year.

privileges, until the several judgments of the General Court and its orders should have been so effectively annulled as no longer to have the authority of a legal precedent.[46] The Governor was at last informed that if he did not feel authorized to relieve their embarrassing situation, the House would do nothing further during the session than to formulate an address to the Prince Regent for a redress of their grievances.[47] Nothing further was attempted. A few days later a prorogation was proclaimed. Time would now be given for excited feelings to become quieted. Throughout another session the House of Assembly had adhered to its determination to outwit every other authority in the Colony.

Before another session of the Assembly occurred Governor Charles Cameron had been removed from the government of the Bahamas. He was succeeded in the temporary administration of the Colony by Chief Justice Munnings, who was President of the Council. He was the same official against whom the same House had acted so violently during its last session.[48] His position as temporary administrator did not make for peace with the House. The members of that body were sadly disappointed that a favorable response to their claim was not communicated from the home government. On the other hand, they were informed that the Prince Regent had instructed the Secretary of State to communicate to the Bahama House of Assembly that he fully approved of the conduct of the General Court in issuing the writ of habeas corpus on behalf of the unfortunate Attorney-General, for a recommitment would have meant that the original imprisonment had been according to law.[49] The House on its part spent a great part of this session in committee of the whole discussing the matter, in order to ascertain the best means of securing a redress of its grievances. It was unyielding in its attitude towards those who had offended against it,[50] and was still determined to refuse to act on the affairs of the Colony until its assumed privileges were secured to it. Instead of proceeding to business it passed another set of resolutions reviewing the difficulties, and voted to have the Attorney-General brought before it on the 14th of July.[51] When it met on that day it was at once summoned to the

[46] *Loc. cit.*, pp. 34-36.

[47] *Loc. cit.*, p. 116.

[48] It might be questioned whether those meetings were a "session" of the legislature. Some authority has said that there must have been some business done in order to entitle the meetings of the Assembly to the name of a "session."

[49] H. V., 1818, p. 5.

[50] *Loc. cit.*, pp. 9-10.

[51] H. V., 1818, p. 20.

Council chamber to meet the President of the Council. He upbraided the members of the House for their opprobrious conduct, warned them that he could not suffer them to oppress an individual any longer, and prorogued them, soon to follow up this with a dissolution.[53]

Another fruitless attempt to harmonize the branches of the government was made in March of the following year, on the meeting of the new House whose election had occurred meantime. It was found that this body also was as little disposed to compromise as either of the two that had sat before it. The same results were met with. But there was an additional grievance at this time, in that members of the House of Assembly had been summoned for service on juries. The House claimed for its members exemption from jury service. If the claim was well grounded, this was a breach of the privileges of its members.[54] A prorogation followed.

The "Healing Act."

Before another meeting of the legislature took place there was a fortunate change in the Executive of the Colony. Major-General Lewis Grant had been sent out as Governor of the Bahamas. The opportunity of the new Governor, who had had no part in the struggles of the preceding years, to act the part of mediator, was taken advantage of with the happy result of a restoration of the accustomed quiet to the community. The session had only opened, however, when the House rehearsed the whole matter in an address to the new Governor.[55] Some of the members of the House suspected, when they did not receive the desired response from the Prince Regent, that their addresses had never been laid before him at all. To them the new Governor replied firmly that the home government had no intention of granting that the House was in the right in its determination that the General Court, the Council, and the Attorney-General should bow to its will;[56] further, that there was no change in the views of those who had made the former assurances to the House. The Governor had been instructed that it was not necessary to require of the House any acknowledgment that it had acted in an unconstitutional manner in its conduct towards the other branches of the government. He desired to pass over the whole difficulty, to allow it to drop out of notice, and to proceed to

[53] *Loc. cit.*, pp. 33-35.
[54] H. V., 1819, p. 36.
[55] H. V., 1820, pp. 26, 27.
[56] H. V., 1820, p. 26.

business without any further reference to it.[56] He assured the House that if it desired to pass a bill embodying the sentiments which he had expressed, he would have no hesitation in giving his assent to it.[57] Accordingly the House passed a bill, which became the first act of the Bahama Legislature in the reign of the new Sovereign, declaring that neither the arrest of the Attorney-General under the warrant of the Speaker of the House, nor the bailments of the General Court setting him at liberty, should be taken to have the authority of legal precedent, or to extend, or diminish, the rights and privileges of the House of Assembly, or of the General Court.[58]

But the House was not yet satisfied. This "Healing Act," as it has been called, was passed only by the casting vote of the Speaker of this unconquerable body. Assurance that they had made no concessions must be made doubly sure. By a vote of 17 to 8 the following resolution was passed: "The House cannot consistently with its dignity, and never will, grant salaries to said persons (William Wylly and the Justices of the General Court), or any of them, either for past services since the commencement of the aforesaid disputes, or for any future services."[59] By a vote of 22 to 2 it was resolved that the House would still claim the right to imprison whomsoever it chose for the breach of the privileges of its members, and that it should remain the judge of those privileges. It also reasserted its claim to superiority to the courts.[60] On account of the persistently violent attitude of the House in all these matters,

[56] H. V., 1820, p. 28. Address of the Governor in reply to the message of the House. The Governor said: "I am authorized to state that under all the various circumstances attending the arrest and commitment of a certain public character, while His Majesty, on the one hand, cannot sanction by a direct admission of legality the proceedings against that individual, His Majesty, on the other hand, does not require any acknowledgment from the Assembly that they have advanced any novel or unconstitutional pretensions."

[57] *Loc. cit.*

[58] 1 Geo. IV, 1. This statute is retained on the statute books of the Colony to the present day. It declares in express terms that there has been no acknowledgment that the House had advanced any novel or unconstitutional principles. The citation to 1 Geo. IV, 1 refers to the statutes of the Bahamas. Thus all citations of statutes will refer to the Bahama statutes unless otherwise noted.

[59] H. V., 1820, p. 36. The original motion in this matter was to the effect that the House ought not to be deemed to be pledged to grant these salaries after the passage of the "Healing Act." As that was not strong enough to express their feeling it was changed.

[60] *Loc. cit.*, p. 38.

the Governor determined at once upon a dissolution of it.[81] The matter was hushed up finally with the termination of this session of the legislature, except for a proposal in the spring of 1821 to the effect that conciliation would not compromise the dignity of the House. The change for the better in the feeling of the House is shown in the failure of this motion. There was almost a two-thirds majority against it.[82]

Adoption of the Registration System.

The four years spent by the House of Assembly in its persecution of the other departments of the local government had meant four years delay in the establishment of the system of registration for the slaves. During the struggle a bill had been passed, which, however, did not meet the approval of the home government.[83] It did not provide for the forfeiture of non-registered slaves, nor did it provide for an accurate description of the slaves such that they could be identified, as was desirable to the British Ministry.[84] Other minor objections were laid before the Assembly with an urgent recommendation that an improved bill be passed. The Bahamas had always prided themselves on their loyalty to the British Crown. In his appeal to the House to pass a suitable bill for registration, Governor Grant urged that they should not pass a bill that would have to be disallowed, thus appearing to justify the imputation against them that the Bahamas were disregarding the wishes of the King.[85] The House finally yielded and passed a bill, granting certain of the more important points that had been urged in the recommendations. It provided sufficient regulations for the removal of slaves from one colony to another. But there were defects in other parts that called for supplementary legislation to make the registration system satisfactory to those who were demanding it.[86] Although important concessions were made in this, for the sake

[81] *Loc. cit.*, p. 41. This session had begun about the middle of the month of November. The prorogation took place on November 30. The Assembly was prorogued to December 15, but on December 6 a proclamation of dissolution was issued.

[82] H. V., 1821, p. 22.

[83] H. V., 1821, p. 38. This bill when it was passed by the House of Assembly was not regarded even by the membership of the House as one which would suit the "visionary speculations of the dangerous party at home." *Loc. cit.*, 1817, p. 109.

[84] H. V., 1821, p. 38, despatch of the Secretary of State detailing objections to the House bill.

[85] H. V., 1821, p. 38.

[86] H. V., 1822, pp. 65-66.

of compliance with the recommendations of the Ministry, still there were legitimate objections to the imposition of this regulation upon the Bahamas, if the interests of this Colony alone were to be considered. Registration, as has been stated, was designed to work towards the suppression of the slave-trade. The foreign slave-trade had not been carried on in the Bahamas since about the year 1810, or perhaps before the British Parliament had abolished the slave-trade in British territory.[67] Crop failures, and the uncertainty as to the tenure of the lands which they held, were additional reasons for apprehension on the part of the Bahama slaveholders. Furthermore, the expense that would inevitably attend such an establishment in this Colony would be out of all proportion to the benefits to be derived from it. The slave population, here numbering 10,808, according to the registration of 1822, was distributed over seventeen islands and groups of islands, which extended over a distance of 600 miles of ocean. Most of the other West Indian colonies consisted each of a single island, or compact group of islands. No other colony formed such a chain as the Bahamas. Easy access to the seat of government, where the registration books were to be kept, was an essential condition to the successful operation of the system. Communication between the different islands of this government was so infrequent, and so difficult, as to render it practically impossible for the same system to be applied here as in the other colonies, unless by the assumption of an expense which the colonial revenues could not bear. Other features of this system were difficult to adapt to this Colony, owing to the varied occupations of the slaves.

Great Britain was taking the lead of the world in giving effect to her abolition laws. Her West Indian colonies were compelled to submit to the imposition of this regulation as one measure for this purpose. Not one of them could be excepted from it, for no door must be left unclosed by which slaves could be brought into the British possessions. The exception of one colony, however small, would have served for the introduction of slaves into all the colonies at a great profit to the carriers. The plan of the Ministry was to recommend to all the colonies the same system, and to insist on its adoption, and the enforcement of its regulations, until the introduction of slaves from the outside should be entirely cut off. Such a plan would allow no part of the

[67] H. V., 1815, app., pp. 46-47. It was claimed by local men in 1815 that the depreciation in the value of their slaves had amounted to one-fourth of their total value during the first decade of the nineteenth century. In 1825 it was estimated that the depreciation had amounted to £500,000 or one-half of the former value of this property. *Loc. cit.*, 1825-26, pp. 124, 125.

British Empire to be free from this registration system. The larger interests of the Empire demanded that the rules and regulations for the destruction of the slave-trade should be enforced in all portions of the domain, even at the expense of hardship, suffering and deprivation to a small part of that great Empire, even though the particular evils, against which efforts were directed, did not prevail there. In this view it was altogether desirable to include this Colony.

Demands of the English Public.

The demands of the English public did not stop here. This was really only the beginning of the great program that lay before their government. They regarded themselves as responsible for the condition of the slaves with which their ancestors had supplied the colonists. The British nation was responsible for the presence of slaves within British territory, and they should now assume the responsibility for the amelioration of the condition of those same slaves. But the object was not to ameliorate the condition of the slaves, and still leave them slaves. It was intended that by progressive measures they should be raised in the moral and social scale, and that they should be educated, as far as that could be done, until they were fitted for full enjoyment of the rights of British citizenship. The matter had been before Parliament for a number of years; it had been investigated by committees of Parliament; it had been discussed inside and outside of that body, and the conviction of the necessity of taking action grew firmer as time went on. The experience of the first years, in which attempts were made to legislate for this purpose, had convinced the authorities at home that the best way to accomplish the desired end was to secure voluntary action from the colonial legislatures in the enactment of the program of amelioration. As colonial authorities had to be employed in the enforcement of the regulations of the slave system, it would be best to have those laws imposed by colonial agencies.

The general outlines of what it was proposed to accomplish were set forth in a set of resolutions passed by the House of Commons. It regarded the following as the principal points in which the greatest improvements could be made: (1) The prevention of the flogging of female slaves; (2) effective and decisive measures to be taken for the amelioration of the condition of slaves; (3) by judicious and temperate perseverance in the enforcement of these measures, the House of Commons hoped to secure a progressive improvement in the slaves, such as would fit them for participation in the rights and privileges of British citizenship; (4) the accomplishment of this purpose at the earliest

period compatible with a fair consideration for the rights of private property.[65] Under the second of these heads may be grouped the details of the measures that were proposed. The negroes were to be instructed in the principles of Christian morality and religion, to be qualified for and given the right to testify in the courts of law, to be taught the sacredness of the marriage tie, to be secured against the forced neglect of it, to be given every facility in securing their own emancipation, to be attached to the soil, to be protected from too severe punishments, and to be given facility and encouragement in the accumulation of property.[66]

Besides maintaining that these reforms were only giving justice to the slaves from the humanitarian point of view, the Ministry attempted to point out to the colonists that from the point of view of the slave owner's real interests these things were also demanded. The state of feeling in the mother country, and the solicitude of the people for the slaves, were held out to the Assembly; and after the refusal of the Bahama House to act compliantly with

[65] H. V., 1823, pp. 35-37. Copy of these resolutions of Parliament.

[66] H. V., 1832, p. 17. The details of the plan are fully set forth in the Order-in-council for Trinidad, a copy of which is given in this place. This order was put in force in the Crown colonies. It is a document embodying a great many details in large volume. The Ministry had at first attempted merely the suggestion of the general outlines of what they desired of the Colony in the amelioration of the slaves. It was soon found that their suggestions were purposely, and deliberately, given a wrong interpretation by the colonial legislature. The latter affected to misunderstand the intentions of the home government, holding this in the way as a reason why the recommendations should not be enacted into their codes.

The more important provisions of the Trinidad Order-in-council were as follows: A protector of slaves should be appointed to reside at the capital of the Colony, and have there an office open at all times to give access to and hear complaints from the slaves; the protector was not to be interested in slave property by ownership, management or guardianship of the owners of it; he was to keep the records of the operations of the system, to attend all trials affecting the lives or property of slaves; and in all his functions he was to have the assistance of the Commandant of the military forces of the Colony. Sunday markets were to be abolished throughout the Colony; slaves were not to be allowed to work between sundown on Saturday evening and sunrise on Monday morning. The use of the whip or "cat" as a mark of the authority of the slave-driver was to be prohibited; only limited punishments were to be allowed to be inflicted each day; the flogging of females was altogether done away with; and strict records of punishments inflicted were to be kept on each plantation. With the consent of the owner, the Commandant of the Colony could issue licenses for the marriage of slaves; husbands and wives were not to be separated from each other, nor children under fourteen years of age from their parents. Slaves were to enjoy property rights, holding and inheritance, etc.; savings banks were to be established for the security of the property of slaves. The tax on manumissions was to be abolished; slaves were to be allowed to purchase their

these recommendations,[70] it was represented that there would be great disappointment in England if the Colony failed to act as it had been urged to do. In 1825 the House of Lords came to the aid of the Ministry by approving its conduct.[71]

When concessions were made by the House of Assembly, full acknowledgment was made that there was a disposition on the part of the Colony to improve the condition of the slaves.[72] It was represented that whatever improvements the local Assembly might make would be on the initiative of the Colony, and ought not in that case to be objectionable to the colonists themselves.[73] The repeal of objectionable features was as strongly insisted on as was the enactment of advanced provisions. The colonists pleaded that the custom of the community secured to the slaves most of the guarantees for protection on which the home government insisted. The Ministry, unwilling to trust to such an indefinite response, insisted on a statutory recognition of these alleged beneficent customs.[74] In this way alone could it be assured that the slave system was to be freed from the abuses which slaveholders themselves admitted to exist. West Indian proprietors residing in the mother country were consulted as to the practicability of the measures proposed, and the colonists were told that the recommendations met with the approval of this class.[75] Finally in pressing the matter upon the attention of the Assembly an appeal was made to the feeling of gratitude, which the colonists must have felt towards the mother country, for the benefits of British rule.[76]

own freedom, or that of their wives or children; manumissions by private contract were to be in writing and made to the protector. Slave evidence was to be admitted to the courts in all cases; and ministers of religion were to certify as to the qualifications of slaves to be put on oath. Cruelty to a slave was to cause the right of the owner to hold the slave to be put at the discretion of the courts; a second conviction involved the right of the owner to hold any slave at all; or of the manager of a plantation to hold the position of a manager of slaves. In slave trials the burden of proof was on the master. The protector was to make an annual report of the conduct of his office, the number of cases that came under his jurisdiction, etc. H. V. for 1824, pp. 38-70.

[70] H. V., 1824, pp. 36-37; 1825, p. 32, and 1826, p. 2.

[71] *Loc. cit.*, 1826, p. 2.

[72] H. V., 1824, pp. 36-37. This was small encouragement to a body of slave holders who desired to be excused from acting at all.

[73] H. V., 1824, p. 34.

[74] H. V., 1824, pp. 34-35.

[75] H. V., 1825, p. 32.

[76] *Loc. cit.*

Attitude of the Bahamas.

Against the whole program the colonists brought a great many arguments—some worthy of attention, others not. It was objected to these measures, just as to the registration, that they were ill-adapted to local conditions;[77] that the advocates of them had never visited the colonies and did not know anything about what would be suitable for regulating the institution of slavery. As for what they had already conceded, they would consider that as no sort of pledge, that they would enact any further measures of the same character. Their practicability had first to be demonstrated, and for this reason the Bahama House at one time refused to proceed any further with the program.[78] The Ministry had desired to proceed too rapidly to please the colonists. The holders of this property considered it dangerous at any time to meddle with the slave institution in a way that would give any little encouragement to the slaves to rise up against the authority of their masters. Insurrections had occurred in some of the larger colonies, and the horrors of the insurrections in the neighboring island of San Domingo were still fresh in the minds of Bahamians. The Order-in-council gave the right of complaint in some matters to the slaves, which would truly have curtailed the almost absolute authority of the masters.[79] They pleaded for non-interference with their cherished institution. They argued that the existing slaves were the progeny of the slave property of their ancestors, who had first settled in the Colony on condition that the lands should be cultivated by negro slave labor, and that those slaves had been guaranteed to the planters by the English law forever; that if the English government took any measures that would lessen the value of, or tend to loosen their hold on, their slave property, it would be a breach of the promise made to the early settlers. They held it unlawful to deprive them of their property, or of the value of it, without indemnification. If by any act of the home government their slave property were caused to depreciate in value, the owners of it ought to be compensated for the whole loss. If involuntary labor, as it existed in the colonies, was a crime, it was the crime in this instance of the mother country and she ought to bear the penalty of it.[80]

The people of this small island community had never had to bear with any considerable interference from the outside. The House of Assembly had been allowed to assume control of almost everything in the Colony. The in-

[77] H. V., 1824, p. 89.
[78] H. V., 1823, p. 71, and 1824, p. 89.
[79] H. V., 1824, pp. 89-95.
[80] H. V., 1825-26, p. 124, resolutions passed on January 24, 1824.

habitants had much confidence in their rights as Englishmen, and we have seen that they carried their attempts at assertion of those rights to the extreme. Born and reared in the atmosphere of the institution of slavery, and accustomed to dealing with it as they pleased, they were averse to any interference with it at all, and they could not have been expected to submit without protest to such changes, in the order of things, as the British Cabinet proposed to them. They had inherited the prejudices which are almost universal, if not inevitable, in a state of society in which the interests of one class are subordinated to the interests of those above them. While they were willing to care for their slaves reasonably, it was difficult for them to acknowledge that any authority in the Empire had the right to continue, as the Ministry had been doing, in insisting on a line of action so obnoxious to them. Hence they used such adjectives as "unwarrantable" and "unprecedented" to brand the conduct of the authorities in the home government, and were extremely reluctant to act on their recommendations. The depreciation in the value of their slaves was used as an argument to prove the baneful effects of the agitation that had been carried on in England, the reflection from which had reached the colonies. The agitation did have some effect in this way, but the great cause of this depreciation was doubtless economic. The prices of slaves had gone down because of the worn-out condition of the lands of the Bahama Islands. There was no longer the same amount of employment for them that there had been at the beginning of the century.

Adoption of a New Slave Code.

In 1824 a statute was passed granting part of the reforms upon which the home government had insisted. It placed in the slave code some of the things which were claimed as the custom of the Colony.[81] At the following session of the legislature the House declined to make any further alterations in its slave code.[82] The matter was not allowed to rest, however, for the Ministry urged more strongly than ever the propriety of taking further action for amelioration.[83] In 1826 almost all of the recommendations of the home gov-

[81] 4 Geo. IV, 6.

[82] H. V., 1824, p. 95.

[83] *Loc. cit.*, 1826, pp. 18-28. The Secretary of State sent out a detailed statement of the whole plan of the desired enactment, the provisions of which he had grouped under eight heads. His persistency won with the House in so far that at once on the meeting of the legislature in October, 1826, a committee was appointed which brought in eight bills embodying what is was thought could be conceded under the eight respective headings proposed by the Secretary of State. They were not passed in this form however.

ernment in this matter were included in some form, in a comprehensive amendment to the consolidated slave law. It contained practically all that the Bahamas ever conceded in the enactment of regulations for the amelioration of the condition of their slaves.[84] A few minor points were added in 1829.

Legal Status of Master and Slave.

The legal status of slaves in the Bahamas, as defined in the statutes mentioned above, will now be treated under the following heads: I. What the code guaranteed to the slave, his rights and duties. II. What it guaranteed to the master, his rights and duties.

Rights and Duties of the Slave.

Under this head will be considered: Maintenance, right to hold property, marriage and family, civic rights, religious instruction, conditions and terms of manumission, holidays.

Maintenance.—The master was required to furnish to each of his slaves over ten years of age, one peck of unground corn, or an equivalent, per week. For each child under ten years of age, one-half of this allowance would suffice. Two suits of "proper and sufficient clothing" were annually furnished to each slave. In addition to these things the slave was entitled to a small quantity of land for his dwelling, and a garden.[85] The law of 1824 prohibited the manumission of aged and infirm slaves, but that of 1827 permitted manumission, and required the master in such instances to maintain his freedman until death.

Right to Hold Property.—Slaves were allowed to hold property. The code provided in general that "no slave on account of his condition . . . . shall be deemed incompetent to purchase, hold, alienate or inherit property, but shall be competent for the exercise of this right." The Receiver-General of the Colony was made a depository for money which slaves might wish to deposit for safe-keeping. The slave could bequeath such money by means of a will made by a simple declaration to that official. The property of a slave dying intestate was disposed of according to the laws governing any property of the character which he had left behind. Marriage revoked a will previously made. In default of legitimate heirs the reputed issue, and the relatives, of the deceased slave could take possession of his property. Lands in the possession

[84] 7 Geo. IV, 1, and cf. 10 Geo. IV, 13.
[85] 10 Geo. IV, 13.

of slaves were considered as personal estate, and were governed by the laws regulating the descent of landed property. The property of a slave was attachable for debt.[56]

Marriage and Family.—The Bahama slave code professed to encourage legitimate marriages among the slaves of the Colony, and between slaves and free blacks. The old custom of the Bahamas doubtless permitted many abuses of the marriage tie among slaves, although, later, Admiral Fleming stated that promiscuous concubinage was not allowed.[57] With a view to the religious and moral improvement of the slaves, it was attempted to promote the attachment of husbands and wives among them, and to prevent, as far as possible, polygamy and promiscuity of conjugal relations. The consent of the owner in writing or the publication of the banns in the regular manner was necessary before marriages were allowed to take place. A marriage between slaves was not permitted without the consent of the owners. Such marriages were conducted according to the laws and canonical restrictions of the established church of the Bahamas. The ministers of that church alone were competent to solemnize marriages. If there was no Anglican minister in the parish in which the marriage took place, the duty devolved upon the justice of the peace. In 1827, however, the privilege of celebrating marriages was extended to ministers outside the established churches of England and Scotland, but in each instance the Governor issued a special license.[58] Registers of marriages were kept. Very primitive ideas prevailed among these poor people as to the duties conceived by Englishmen, to be assumed when entering into the marriage contract. Regulations were made for the purpose of inculcating proper ideas as to the mutual obligations of husband and wife, and urging upon them the importance of remaining together when once united. The separation of families was forbidden under any circumstances. Neither husband or wife was salable unless the other was sold at the same time, and to the same purchaser. Children were not allowed to be separated from their parents until they had reached the fourteenth year. Alienation of slave property could be carried out only

[56] 10 Geo. IV, 13. Neither of the above questions appears to have been touched upon in the laws before 1824. Custom in this as in many other respects was doubtless very lax. 7 Geo. IV, 1, secs. 36-40.

[57] Sess. P., 1831-32, 20, p. 217. Testimony given in the West Indian Investigation of Slavery by Parliament.

[58] 10 Geo. 13. Several years after the abolition of slavery a difficulty arose at Harbor Island over the transfer by a Wesleyan minister to another minister of his denomination, of a license issued to him to marry two blacks.

in compliance with these regulations. They applied to reputed husbands and wives, and to reputed, as well as to legitimate, children.[89]

Civic Rights.—Not only were slaves not allowed to vote in the Bahamas, but it was late in the history of slavery when colored freemen were admitted to the exercise of the franchise.[90] Slaves were not allowed to serve in the local militia. Free blacks were also excluded from militia service until 1804. After that time there remained prejudicial restrictions on their exercise of that right, even until after the abolition of slavery.[91] The restrictions in respect to jury service were nearly the same as were those just mentioned in the same period.[92] Slave courts were regularly established by the later statutes on slavery, before the passage of which they had been institutions of rather bad character.

By a statute of the year 1805 the General Court was authorized to try suits for the freedom of slaves. As that court sat only in the island of New Providence, other measures were necessary for trials in the Out-islands. A magistrate in an Out-island was empowered to summon three free-holders to assist him, on sufficient evidence, and compel a master either to give up his claim to a slave, or to pay the expenses of sending the latter to Nassau for trial in the General Court.[93] All other cases on behalf of slaves, that were allowed to be tried at all, were tried in the lower magisterial courts, and later in the slave courts. A slave court was constituted in 1824 consisting of two justices and at least five jurors.[94] At their best these slave courts were poor instruments for the measuring of justice, according to the standards of English jurisprudence. It was difficult for a slave to get his case into court at all, especially if it were against some white person. It made little difference what were the grounds of his suit, or how serious they were to him, they were likely to be ignored.

The cause of the whole difficulty in this respect, which prevented the slave from getting justice, was that slave evidence was not received in the courts until almost the close of the period in which slavery existed. The question of the removal of this evil involved the reformation of the whole course of justice in the Bahamas. Slave evidence was either not received at

[89] 10 Geo. IV, 13.

[90] 47 Geo. III, 1.

[91] 36 Geo. III, 4; also Smyth's Ds., No. 140.

[92] 44 Geo. III, 10.

[93] 45 Geo. III, 20, and 7 Geo. IV, 7. From the state of opinion it is not probable that a strict application of this provision occurred in many cases.

[94] 4 Geo. IV, 6.

all in the courts, or it received so little recognition that, as long as the state of things existed, a slave could not secure a hearing before them, if the cause were to the prejudice of a white person. It was out of the question for them to exercise any control in the courts, and they were allowed little opportunity to furnish the evidence they had in cases that came up for adjudication, in order that justice might be done.

In 1784 it was provided that the evidence of slaves should be admitted against manumitted persons in all trials for capital or criminal offenses; but by the same law only Christian slaves were allowed to testify at all, and they only in suits for debt.[96] Slave evidence was the first point in which the local Assembly attempted to make concessions, in response to the ministerial demand for the amelioration of the condition of the slaves. But the effort they made to remove the restrictions on it would not argue strongly that they were convinced of the expediency of granting full credit to the testimony of a slave, when put on oath. The traditional prejudice of the whites against the admission of the blacks to civil rights is well preserved. After 1822 free persons of color who had been instructed in the Christian religion, and baptized, and who had been free for a term of three years, were admitted to give evidence in civil cases, the facts regarding which had occurred subsequently to the liberation of the person testifying.[96] In 1824 this same privilege was extended to all persons of color born free in the Bahamas, and to others born free outside the Colony, but who had been in the Bahamas for five years. But it was still denied to manumitted persons in cases of treason and felony, and offenses against the peace, committed previous to manumission, and in all cases, the facts in which occurred previous to the passage of this statute.[97] Another change was made in 1829. All slaves, who were not native Africans, who had been in the Colony for five years were admitted to testify in civil cases, and in criminal trials by indictment, on presentation of a registered certificate from an Anglican or Scotch clergyman that they could understand the nature of an oath. This did not apply to cases of libel against a free person, nor in cases which involved penalties on the defendants, unless the trial were by jury. No slave could testify against a white person charged with a capital offense, nor against his owner in any criminal prosecution, nor in any case involving the right of a slaveholder to a slave, or regarding an alleged

[96] 24 Geo. III, 1.
[96] 2 Geo. IV, 37.
[97] 4 Geo. IV, 2.

manumission. Slaves could testify against manumitted persons in all cases of offenses below felony. Manumitted slaves, who had been registered as competent to take oaths while slaves, were allowed to testify as to facts committed subsequent to such registration, but not on facts bearing "on the freedom of a slave, or the life, liberty or property of a white person," committed between the time of registration and manumission. Even then the courts were authorized to throw out all evidence of a slave whose character was bad, even when such evidence was not impugned, nor contradicted, by other and more trustworthy evidence.[98]

Wilful perjury of a slave on oath was punishable with fifty lashes on the bare back. A later statute imposed a hundred such stripes, branding with the letter "P" (for perjurer), and disqualification to testify again under oath, or to make a deposition.[99]

A slave in attendance at court was left in the custody of his master, when not actually on the stand. In cases of treason and felony he was placed in custody, unless the master entered into a recognizance to guarantee his attendance when needed.[100]

Religious Instruction.—The Bahama people seemed to have laid emphasis constantly on the importance of religious instruction for their slaves. Slaves who had had this advantage were recognized as entitled to privileges that were still denied to other slaves.[101] The consolidated slave law of 1829 contained the following provision: "All masters or owners of slaves . . . . shall . . . . endeavor to instruct their slaves in the Christian religion, and shall endeavor to fit them for baptism, and, as soon as conveniently may be, shall cause to be baptized all such slaves as they shall make sensible of the Deity and of the Christian faith." [102]

Conditions and Terms of Manumission.—To become free was the coveted goal of the slave. In order to reach this state he had to comply with rules, and to go through severe processes provided by the law; but after all, the becoming free, or gaining recognition as a freeman, depended much on the master. It was equally burdensome upon the master who saw fit to manumit a slave. In 1784 a tax of £90 was imposed on a manumission. The registers of the Colony were not burdened with records of manumissions. Such tax was not removed

[98] 10 Geo. IV, 13.
[99] 10 Geo. IV, 13.
[100] 10 Geo. IV, 13.
[101] See *e. g.* 24 Geo. III, 1.
[102] *Loc. cit.*

and declared illegal until 1827, at which time only a small registry fee was exacted of such liberally disposed masters.[103]

A law of the year 1805 confined the trial of all questions of the freedom of slaves to the General Court. For the accommodation of claimants to freedom in the Out-islands, it was arranged that a magistrate could force a master to give up his claim to the ownership of a slave, or pay the expense of carrying the case to Nassau for trial in the highest court of the Colony. The expense of the latter alternative fell upon the master. In all such trials for freedom only the freedom of the slave could be determined, and only nominal damages awarded; but if the judgment were favorable to the claimant, another suit for damages could be made, as well as for wages for the time during which freedom had been unlawfully withheld.[104] A second suit for freedom, on grounds different from those on which freedom had once been denied, or based on facts occurring subsequent to the previous judgment, could not be denied to a slave.[105] Magistrates were authorized to appoint guardians for slaves.[106]

By the later provision for the manumission, the instrument freeing the slave had to be in writing, under seal, witnessed and registered. A slave could then, for the first time, purchase his own freedom under the express law of the Bahamas. He could also purchase the freedom of his wife or child, or of a relative, on such terms as he might make with the owner in each case. The code gave its support to all such agreements, if they were reasonable. In case of a disagreement between the owner and the slave, as to the price on which they had fixed for the price of freedom, a referee was to be appointed on behalf of each party, which referee would act, together with a magistrate, to determine upon the amount of compensation due the owner. If these parties failed to come to an agreement, an umpire was appointed to make a final determination. His decision on the case the law upheld. These proceedings were not to affect the rights of judgments, or of creditors, mortgagees, or joint owners.

Children under fourteen years of age could not be manumitted without the consent of their owners. The statute of 1824 forbade the manumission of old or infirm slaves, with a view to saving the Colony the expense of the maintenance of such persons in the poor establishment. In the statute of the year

[103] 7 Geo. IV, 1.
[104] 45 Geo. III, 20, and 7 Geo. IV, 7.
[105] 10 Geo. IV, 6.
[106] *Loc. cit.*

1827 such slaves were allowed to be set free, but the master so inclined must provide for all such manumitted persons throughout the remainder of their lives.[107]

Holidays.—Sunday labor was for the first time expressly forbidden in the later codification of the slave laws of the Colony. Christmas Day and the two following days were allowed as holidays. During these days the managers of gangs of slaves, or of plantations, were strictly required to be present on their plantations, or wherever the presence of their slaves required them for the purpose of keeping order.[108]

Rights and Duties of the Masters.

Under this head will be considered: Right to property in the slave, compensation in case of manumission, as to runaways, denial of the right to cultivate land, etc., punishments, general authority over slaves.

Right to Property in the Slave.—The slave code secured to the master the possession of his slave as a chattel. The master held the slave bound to himself, had power to limit his freedom, to govern his conduct, and to determine his sphere of action, within the limits of the restrictions mentioned above. At best in this Colony, where mildness was reputed to have prevailed in the treatment of slaves, his lot was still that of the slave. With this property the master had the right of purchase and sale, which was absolute within certain bounds. He could alienate a slave just as he could alienate any other property, except when such alienation would involve a removal outside of the Bahamas. Removals were regulated by statutes of the imperial Parliament. The time and energies of the slave were at the disposal of the master. By the custom of the place, slaves were allowed some time to work for themselves, to be utilized, if they saw fit, for the laying up of money for buying absolution from their own bonds. The offspring of slaves were, by law, in the same condition as their parents, and belonged to the owners of the parents.

Compensation in Case of Manumission.—The slave code not only guaranteed to the master the possession of the slave, but if the latter was manumitted, or taken from his master without consent, compensation was allowed for the loss. In case of manumission by agreement between

[107] 4 Geo. IV, 6, and 7 Geo. IV, 7. Admiral Fleming states that he knew of a few cases in the Bahamas, in which the negroes had bought their freedom from their masters, but that, in his experience there, he did not know of many cases of that kind. Sess. P., 1831-32, 20, pp. 218-19.

[108] 10 Geo. IV, 13, sec. 75.

master and slave, the former was allowed whatever compensation might have been agreed upon. If a slave were condemned by a court to be executed or transported, the jury passing the sentence was authorized to fix a valuation on the slave, not to exceed £100, which was made over to the master from the public treasury as compensation.[109]

As to Runaways.—The runaway slave was returned to his master when apprehended.[110] It was difficult for a slave to make good his escape in a country where there was so little land on which to hide, and where the means of transportation were so limited. But running away was at times a frequent occurrence; so common did it occur several times in the history of the Colony as to become a matter of serious concern to the authorities. Both Governor and legislature might be seen at times dealing with this vexed question, offering amnesty to slaves who would deliver themselves up within a given time, and warning those who refused to surrender.[111] The alarm, caused by the great number of desertions in the years 1800-01, was the immediate cause of the passage of a law to deal summarily with them. It ordered the registration of all free negroes, mulattoes, mustees and Indians, and enacted that if at any time five or more runaway slaves were reported, free negroes were liable to be armed and sent in pursuit of them. Colored freemen were offered rewards for the arrest and delivery of deserters. They were allowed to kill a fugitive slave, if necessary, in order to ward off a counter attack from the offending slave.[112]

The later code defined a runaway as follows: "Every slave absent from his owner or employer for ten days together without leave . . . . found at a distance of eight miles from the house or plantation, to which he belongs, without a ticket, or permit, shall be deemed a runaway." Exception was

[109] 10 Geo. IV, 13.

[110] Smyth's Ds. No. 212, and Ds. S. St., 1833, No. 103. The question of runaways became complicated with that of removal under the administration of Sir James Smyth. He interfered with the removal of several slaves who had run away from the Out-islands to New Providence to escape from ill-treatment of their masters. Removals from one island to another were allowed only when the person owned land on the island to which the removal was to be made, and was removing the slave for the bona fide purpose of cultivating that land.

[111] *Bahama Gazette*, XI, Nos. 40, 55, 75, 115, 296, etc. Hardly an issue of the *Gazette* in 1794-95 failed to give notice of the escape of a fugitive. Private rewards were offered for their return. See also H. V., 1800-01, p. 21, record of the action of the House of Assembly respecting runaways. The slaves had congregated in the interior of the small island of New Providence where their presence had caused alarm to the white inhabitants.

[112] 10 Geo. IV, 13.

made for slaves going to and from market with such articles as they were allowed to trade in. According to the code the master of a runaway slave was required to advertise a description of the property thus escaped; otherwise if the slave were executed or transported for any crime the master could receive no satisfaction from the public treasury. There were standing rewards, authorized by the law, for the encouragement of the free blacks in the arrest of fugitives and in the capture or destruction of rebellious slaves. If, on the other hand, a slave assisted another slave to secure himself in hiding, or aided him in making good his escape, he made himself liable to a flogging of from forty to a hundred stripes. A free colored person, taking part in such an undertaking, became liable to a fine, or imprisonment until he consented to pay the same. The purchase or sale of runaways was forbidden under heavy penalty. A reward of £1 was offered to a freeman who should return a deserting slave.[113]

Workhouse keepers were required to advertise monthly lists of all returned runaways in their custody. Any slave, still in custody at the end of twelve months, could be sold at auction, and the proceeds devoted to the maintenance of the workhouse. The escape of slaves from the custody of the workhouse was treated with not less than fifty lashes on the bare back of the offender. Slaves, who succeeded in prolonging their stay away from the place to which they belonged for six months, were liable to punishment at the discretion of two justices of the slave court; those staying away longer than six months became liable to transportation for life, or to suffer such other punishment as the justices saw fit to inflict, not extending to life or limb.

An attempt to run away from the Colony, which inevitably involved the heinous offense of stealing a boat, was also punishable with transportation, or such penalties as the slave court saw fit to inflict. A free colored person, assisting in such an enterprise, made himself liable to transportation for life, and if he returned to the Colony, he was to suffer death without benefit of clergy.[114]

Denial of the Right to Cultivate Land, etc.—Owners or masters could deny to their slaves the right to cultivate, on their own account, cotton and certain other crops, to rake salt, or to raise cattle or any other live stock. They could not prevent slaves from cultivating peas or beans, nor even from dealing in and raising corn and cotton, when the master was not engaged in the same occupation. Slaves were allowed to go about dealing in dry goods, only on

[113] 10 Geo. IV, 13.
[114] 10 Geo. IV, 13.

certificate from the masters, which would protect them from being arrested and imprisoned. They were altogether forbidden to sell spirituous liquors, or to sell meats, either of which offenses demanded the application of the lash.[115]

Punishments.—Slave masters had the right practically to punish their slaves at their own discretion almost to any extent that discretion might allow, with impunity to themselves. They themselves reported that their punishments were light, and only such as were essential for the promotion of good deportment among the slaves. There is reason to believe that the punishments inflicted in the Bahamas were generally mild, but there were instances of the most unprovoked brutality, showing the possibilities under a regime in which the law, while expressing itself against cruelty to the bondsman, was impossible of enforcement, so that almost full rein was given to the masters. Slave masters could not be punished for ill-treatment of their slaves in a small colony, where the whole family of whites was on their side against the slaves. The grand juries left conscience behind, and did not hesitate even in the presence of a watchful governor to ignore the complaint of a slave against the cruelty of his master. Governor Sir James Smyth made the attempt in three test cases to prosecute masters for cruelty, but diligent and attentive as he was, the grand jury threw out slave evidence and slave complaints, just as if the law had not spoken at all in the matter.[116] This was a time of high excitement, but this was not the only time when such conduct was observed. Wilful mutilation was forbidden, under penalty of forfeiture of the claim upon the recipient of it. The death penalty without benefit of clergy nominally threatened the murderer of a slave. Placing iron collars on the necks, loading their bodies with weights or chains, offenses which doubtless never found many to inflict them in the Bahamas, were forbidden. The use of the whip, cat-o'-nine tails, or other instruments, to persuade slaves to work were also placed among the forbidden things.[117]

The most common form of punishment for petty offenses was whipping. This must have been inflicted at the nod of the owner in the time before the amelioration was begun. There seems to have been no restriction as to the number of lashes that could be inflicted, until the statute of 1824. At that time a limitation was fixed which was retained in the later code. No more than thirty-nine lashes were to be laid on in one day, and no further punish-

[115] 4 Geo. IV, 6, and 10 Geo. IV, 13.
[116] Cap. II, pp. 63-64.
[117] 7 Geo. IV, 1, sec. 8, and 10 Geo. IV, 13.

ment of the kind was to be inflicted until the recipient had become free from the lacerations resulting from punishments already inflicted. The owner, or the person authorizing the infliction of the penalty, was required to be present, and to witness the application of it. The British Ministry and the Governors of the Colony made attempts to have the flogging of female slaves dispensed with altogether. The nearest approach to this that was ever attained was in the provision that females above the age of twelve years could be punished only in the presence of their masters, or that flogging could be commuted to solitary confinement, or stocks, or distinctions of dresses, none of which was to continue for a longer period than ten days. This commutation was at the discretion of the master. Gaol and workhouse keepers were forbidden to punish slaves committed to their custody, without the consent of the owners or employers or of some competent court.[118]

Violence towards whites was a very grievous offense for a slave to commit. Assault on a white was punished with death, under the statute of 1784. Other abuse of a white person, under the same statute, was atoned for by a fine of £15, or corporal punishment, not limited in amount or in character.[119] In 1824 violence towards whites was made punishable at the discretion of the magistrate before whom the case was brought. The statute of 1827 fixed the penalty at fifty lashes for abusive language or threats against a white person. The death penalty for an assault against a white with a dangerous weapon was reënacted in 1830.[120]

General Authority Over Slaves.—As a privileged class in a community the whites were given certain general authority over all slaves in the Colony. They used their influence of moral suasion for the preservation of order and the prevention of trespassing on private rights by slaves. Although these duties were in the main extra-legal, there were nevertheless some such requirements expressed in the code. By the law of 1784 whites could disarm any slaves or free colored persons whom they found at large with arms in their hands. By a law of 1823 whites could authorize slaves to kill hogs, goats or sheep which trespassed against the stock laws by running at large on the highways about Nassau and its suburbs.[121]

[118] 10 Geo. IV, 13.
[119] 24 Geo. III, 1.
[120] 10 Geo. IV, 13.
[121] 3 Geo. IV, 2.

Operation of the Registration System.

During the years that the House of Assembly was resisting the efforts of the home government to secure a definition of the legal status of the slaves, the registration system was not lost sight of. It had been put into operation and several enumerations had been made.[132] The colonists never gave up the hope that the King and the Ministry would see the utter uselessness of the registration system for this Colony, and would allow it to be repealed. It was doubtless to this end that a report was made by a House committee on an inquiry into its workings in 1827.[133] This report was doubtless colored to make it appear that there was no need of the system, as it was made by those who would have liked to have found in it such objectionable features as would demand its repeal. It was a vexation to the people of this Colony where the constituent islands were so widely scattered. It entailed an expense that made it more vexatious, since it was, from the point of view of inhabitants of the Bahamas, an unnecessary system. The slave mariners, who were peculiarly useful owing to the physical condition of the Colony, could not be employed regularly, nor to the advantage of their owners. The employment of them outside of the Colony was forbidden, and use within the Colony was subjected to such restrictions as almost to deprive the owners of the value of their skill. Difficulties arose in registering the slaves of the ignorant Out-island people. But for the consideration shown them by the Registrar of slaves, in spite of the inaccuracies of their returns, the operations of the law would have been attended with much greater difficulties.[134]

THE ABOLITION OF SLAVERY.

Thus far there had been no serious difficulty in the enforcement of the new slave code. The greater part of the time had been taken up with the enactment of slave laws in such form as would be acceptable to the home government. Governor Grant had had some difficulty with the House of Assembly, but had left the Colony with amicable relations still existing between himself and the people. In 1829 Sir James Smyth was sent out as Governor.

[132] Sess. P., 1831, 19, p. 171. The total slave population of the Bahamas in 1831 was 9268. There were 2991 free blacks, and 4240 white. See also *loc cit.*, 1833, 26, 473, extracts from several censuses. In 1822 there were 10,808 slaves, in 1825 9284, and in 1828 9268.

[133] H. V., 1827, pp. 24-26.

[134] *Loc. cit.*

Governor Sir James Smyth.

The new slave code was practically completed on his assumption of the government, and with a few exceptions was in accord with what had been recommended by the British Ministry. It was now the duty of the new Executive to apply that code to the society of the Bahamas, and thus accomplish the end which had been aimed at in all the anxious endeavors of the preceding fifteen years.

Sir James Smyth was a thoroughly conscientious man, painstaking in all he undertook to do, and attentive to all the duties of his office. He was filled with the abolition sentiment of the mother country, which had been the cause of so much anxiety to the British colonists, and was a willing instrument for the enforcement of the amelioration laws. He hated the injustice of slavery and was not in sympathy with the invidious distinctions as to color and race which pervaded the Colony. He also had an exalted idea of the prerogative, but found here, however, that the legislature had taken into its hands several important functions of the Executive. A part of the task he was to undertake lay in the reclamation of legitimate executive powers from the grasp of the House of Assembly.

Attempt to Give Effect to Reforms.

The legislature was in session when the new Governor arrived at Nassau. In his closing address to that body, soon after his coming, the Governor frankly congratulated the members of the House and Council, that they had gone beyond what any of the other colonial legislatures in the West Indies had done in the enactment of provisions for the amelioration of their slaves.[125] Although so much credit was due to this body, in the view of the Governor there was still one important question which they had steadily refused to yield. This was the flogging of female slaves, on which so much emphasis had been laid as the darkest blot on the institution of slavery.[126] It was claimed by the slave owners that flogging was the sole means of compelling the submission of refractory females, that they were more difficult to deal with than the males, and that until some other mode of punishment equally as effective as flogging could be discovered, they were unwilling to give

[125] H. V., 1829, 107. This was not a source of gratification to a body of slaveholders, who were hoping that the ministry would discover the inexpediency of the enactment of such laws and instruct the Governor to apply for their repeal.

[126] 10 Geo. IV, 13.

it up. The Governor made known his attitude against this practice in a proclamation.[127]

A case demanding the Governor's attention soon arose. One of the justices of the General Court, acting as agent for an estate, sent a female slave to the police court at Nassau, where she was ordered to be flogged. The Governor acted quickly when the case came to his attention. The Assistant Justice, who was a member of his Council, was suspended from that position, and the police magistrate, Robert Duncome, was suspended from office, both to await the determination of the home government on the conduct of the Governor.[128] The Executive, confident of the good results that would follow, was dismayed to find out that the conduct of the two prominent persons did not cause an expression of disapproval on the part of the people. It now began to dawn upon him that it was improbable that he could procure the passage of the desired law against flogging women.[129]

When the Assembly met again, in the fall of 1831, Governor Smyth made an appeal to the House to pass a law to do away with the inhuman practice of flogging. He had just restored to their owners a crew of slave mariners whom the revenue officers had attempted to condemn for a violation of the law governing removals.[130] His conduct in this affair had greatly pleased the House, for it had sent an address to him not to allow the slaves to be prosecuted. The Governor took advantage of the favor gained by his conduct, to press upon the Assembly the question of flogging of females. But he was doomed to disappointment again. The feeling on the question had not improved in the least in favor of the view of the Governor. While it was acknowledged that whipping was not often necessary, and that it was being

[127] Smyth's Ds., No. 42, and H. V., 1831, p. 95.

[128] Smyth's Ds., No. 42

[129] *Loc. cit.* The Governor was relieved from embarrassment in his Council by the resignation of Assistant Justice Lees. In this affair and in the difficulty with the slaves of Lord Rolle, Lees was estranged from the Governor, and the latter was thus unfortunately deprived of the services of a man who made himself invaluable to the successors of Sir James Smyth.

[130] H. V., 1831, p. 73. The revenue officers had seized the crew of a sloop on its arrival at Nassau for an alleged violation of the law governing removals, committed at Crooked Island. The Governor, anxious that justice should be done, laid the case before the Crown law officer for his opinion. The Solicitor upheld the seizure, and held that the slaves should be prosecuted to condemnation and forfeiture. The House sent in an address to the Governor, praying that he would not suffer the property of one of the inhabitants to be treated in this way. The Governor overruled the opinion of the Solicitor on the merits of the case, and restored the slaves to their owner.

abandoned in practice, still these representatives of the slaveholding constituencies were unwilling to give the sanction of legislative approval to its abolition.[121] In the Council there was better success. A provision for this purpose passed there, however, was thrown out on the first reading in the House.[122] An appeal was made to the clergy of the Colony to use their influence in educating the people to a more humane feeling, and to use their influence against the practice,[123] for the Governor realizing that the only way in which the abolition of female flogging could be brought to pass was by the reaction on the Assembly of the public sentiment of the community.[124]

Flogging of Female Slaves.

This meeting of the legislature had closed in the spring of 1831. Another session was found necessary in order to enact some provision for the jury law, which expired during the year. The Assembly was accordingly called to meet early in June. The Governor had purposed to be unremitting in his efforts to secure the passage of a statute abolishing the flogging of female slaves, and he availed himself of every opportunity to call the attention of the members of the House to it, and to urge them to take action for that purpose. He had prepared an address to the House on the question, and was on the point of presenting it, when information was brought to him of a bold act of cruelty to a female slave.[125] John Wildgoos, a member of the House for western New Providence, had ordered a female slave, belonging to himself, to be punished in the workhouse, where she had been confined for several weeks, following a former severe punishment, also inflicted by his order.[126] Governor Smyth merely called the attention of the House to the conduct of this member, trusted it to take the course which humanity would have dictated, by the expulsion of Wildgoos from its membership. In spite of the former disappointment at the tolerance of the community as to flogging, he still confidently expected to find sufficient humane feeling among the members of the House to

[121] H. V., 1831, p. 95. The members of the House appeared not to think it worth while to reiterate the arguments against the flogging of women. They referred the Governor to a former address of the House upon the same question.

[122] Smyth's Ds., No. 88.

[123] *Loc. cit.*

[124] See this address printed as enclosure No. 2, in Governor's Ds. of April 5, 1831. Sess. P., 1831-32, 46, p. 287 (24).

[125] H. V., 1831 (extra session), p. 36.

[126] *Loc. cit.*

rise up against such conduct as this on the part of one of their number.[137] But he had not rightly judged this body of men. He had credited them with too much anxiety for humane treatment of their slaves. This legislature like its predecessors had been so extremely sensitive to encroachment on its own assumed rights, and had insisted on privileges and immunities for its own members, but it was not inquisitive in the case of one of a down-trodden class for whose condition it was responsible. These slaveholders did not wish to have the abuses which their system of bondage would permit inquired into and revealed to the world. It was no affair of theirs. If the member had committed any breach of the laws of the Colony, the courts of law were open to punish him. As far as they were concerned, they would take no further notice of the allegations against him, than to reply to the Governor that they regarded his late message to them as an interference with their privileges which was "unwarranted and wholly unprecedented."[138] It would appear that the Governor was not acting outside of the line of his duty in calling the attention of the House to the conduct of affairs and current events in the Colony. He made no request of the House, he merely called the attention of the members to this fact that had been reported to him, with no comment thereon.[139] He did not expect the House to proceed to the punishment of the member, further than to investigate the case, and consider whether he should continue to hold his seat in the House, for he himself expected to make Wildgoos answer at the "bar of the proper tribunal" in the trial of the case.[140] He might in his own view have been charged with dereliction of duty, if he had failed to call attention to it. On the side of the House, it was an outburst of that traditional jealousy of the Colony against alleged interference with its privileges, occasioned at this time by an exasperated state of mind. This Governor had been insisting on the consideration of this question ever since his arrival in the Colony, and now the House wished him to make an end of it. Both House and Governor doubtless felt that it was improbable that Wildgoos would be made to suffer for what he had done. A public sentiment, that would not demand his expulsion from the membership of the House of Assembly, would neither demand his prosecution in the courts of justice. The Governor desired it to be established and to become known that such conduct would not be tolerated in

[137] *Loc. cit.* Governor's address to the House on this affair. Also *loc. cit.*, p. 40.

[138] H. V., 1831 (extra session), p. 38.

[139] *Loc. cit.*, p. 36. Governor's address.

[140] *Loc. cit.*, p. 40. Governor's address.

the Bahamas; the members of the House desired to ignore the matter and allow it to be advertised as little as possible.[141]

The House determined upon the recall of Sir James Smyth from the position in which he had become a cause of constant vexation to it, and to the slaveholding element in the Colony. It began with an investigation of the state of the police and the Nassau workhouse and gaol. On this committee of inquiry were placed two of the most violent slave owners in the whole Colony, one of whom was very bitter against the Governor for his conduct in the case of some runaway slaves.[142] This report charged the Governor with unjustifiable interference with the trials of slaves, in several instances, with the result that the owners had to become judges and executors of the law and to punish their slaves on their own authority. It charged him further with using his patronage for breaking up the influence of masters over their slaves; and that witnesses in the courts had been cautious in giving their testimony, fearing executive displeasure.[143] The House was so well pleased with the report of this committee that it proceeded at once to the passage of a set of resolutions denouncing the Governor, charging him with subversion of law, with encouraging a refractory spirit in the slaves, with encroachment on the privileges of the House, and continued maladministration of the affairs of the Colony until it became the part of duty no longer to submit; it openly declared its utter loss of confidence in him. It resolved to ask the King to remove him from the government.[144] The Governor had refrained from interfering with the House proceedings in order that that body might content itself by doing all in its power to secure his recall.[145] As soon as it had reached that point, it requested him to put an end to its proceedings as it would do no more business while he remained in the Colony.[146] Action was not long delayed. A prorogation oc-

[141] *Loc. cit.*, pp. 41, 44, 45, 47 and 49. Also Smyth's Ds., No. 105. Perhaps it should be stated that the Governor was as prejudiced on the one side of the slavery question as were the majority of the members of the House on the other. But it cannot be said that the former committed as great indiscretions as did the latter in these difficulties.

[142] Smyth's Ds., No. 105. See also the report of this committee in H. V., 1831 (extra session), pp. 44 and 45.

[143] H. V., *loc. cit.*

[144] H. V., 1831 (extra session), pp. 47-49 and 58. It was decided to send the whole of these proceedings to the Colonial Agent at London, and to the Marquis of Chandos, chairman of the West India body at London. These officials were to be asked to use their influence to secure the recall of the Governor.

[145] Smyth's Ds., N. 105.

[146] H. V., 1831 (extra session), p. 57.

curred on June 21, only three weeks after the opening of the session.[147] Not long afterwards a dissolution was proclaimed, and the members were sent back to their constituents "to appeal to that good sense, and to that good feeling, which have ever been found to be inherent in Englishmen in all parts of the world."[148]

In the midst of the excitement over these things, the consideration of the jury question for which the session had been called was forgotten. As no jury act was passed, there was no provision for the calling of jurymen, except by the common law, according to which colored freemen could be included in the list of those called for this duty.[149] Another advantage was that the common law did not exclude the evidence of slaves from the courts.

Governor Smyth had succeeded in effecting some reforms in the slave courts of the Colony. Before he came, the complaints of slaves had not met with any considerable encouragement. Records of the slave courts had not been kept before the year 1829, when a special instruction directing this to be done was sent out by the Secretary of State.[150] These records were now, in every case, laid before the Governor prior to the execution of the sentence imposed, and, on the authority of his superior, the Governor allowed the execution of no sentences in cases in which he had reason to extend the King's pardon to the offenders.[151] Decorum and order were introduced, and enforced, in the trials of slaves, all which was due to the solicitude of the Governor for giving equal justice to both blacks and whites. A restoration to the position of justices in the slave courts of Magistrates Duncome and Anderson, whom Governor Smyth had suspended for inflicting punishment on slaves, worked against the success of the cause in which he was laboring. Both whites and blacks accepted it as a disapproval of the conduct of the Governor, or as an indication that the home government was not interested in the trials of slaves, nor in the measures for their amelioration.[152] These two men were again dismissed before the end of the year and finally removed from the number of the justices of the slave courts. They had begun again in the same manner in which they had acted

[147] *Loc. cit.*, pp. 57 and 61.

[148] H. V., 1831 (extra session), pp. 61-62. Also Smyth's Ds., No. 105.

[149] Smyth's Ds., 135. Half of the salary of the provost marshal was paid by the Crown. The Governor now hoped that as that officer was not entirely dependent on the House he could easily be induced to summon negroes as well as whites to serve on juries.

[150] Circular Ds., 1829, and Smyth's Ds., No. 133.

[151] Smyth's Ds., No. 133, and Ds., S. St., 1831, No. 32.

[152] Smyth's Ds., No. 133.

before they were first suspended. The sanction of the home government of the removal for a second time was a virtual confirmation of the policy of the Governor in his dealing with the police magistrates.[153]

Elections of 1832.

It was necessary, for the sake of the interests of the Colony, to have another session of the Assembly, but the Governor delayed the issuance of the writs of election in order that the minds of the excited slaveholders might become more calm before legislation was again undertaken.[154] The calmer mood was not reached, however, as he had hoped it might be. All classes in the Colony looked forward anxiously to the coming election. The members of the late House did not give up their determination to contest every point with the Governor. In this they were supported by a majority of the voting population.[155] At the beginning of the last session of the Assembly a number of the more conservative members, who were men of influence in the community, had withdrawn from the House in order to avoid being present on the occurrence of such a breach with the government, as seemed to be inevitable. Only four members were left who were favorable to the Governor. Almost every vote of the session had resulted in a majority of 13 to 4 against him. The extremists now set about the returning of the same individuals to the new House. A scurrilous newspaper, edited by a disaffected individual, took issue with almost every act of the government, and became the organ of the opposition, reveling in false charges against the government and gross abuse of the colored population.[156] Local officials, the payment of whose salaries depended on the annual grant of

[153] Smyth's Ds., Nos. 122 and 124, and Ds., S. St., 1832, Nos. 44 and 45.

[154] Smyth's Ds., No. 127.

[155] See H. V., 1832; app., p. 1. Petition of the House for the removal of the Governor. Petitions were also sent in from the inhabitants of New Providence, from Harbor Island, and from Abaco, calling for the removal of the vexatious Governor. See *loc. cit.* and ff. The results of the elections to the new House will show better than these things the state of feeling of the majority of the voters of the Colony towards the policy of the representative of the Crown in the Bahama government.

[156] Smyth's Ds. of July 2, 1832, account of the prosecution of the editor of the *Argus* for libels on the Governor, abuse of the negroes, and the whites who had acted in support of the Governor and his policy. This editor was convicted on the first of the six charges brought against him. The others were withdrawn. See on the conduct of this paper, Ds., No. 127.

the House of Assembly, were neutralized in the elections that here took place.[157] The whole of the local population was not, however, against the Governor. Some of the most influential slaveholding members of the community had viewed with disapproval the course pursued by the majority of the late House, and were at this time working for the defeat of that majority. The whole of the free negro population was favorable to the government.[158] But there was not a large number of this class that were admitted to elections. In spite of the efforts put forth to elect men of temperate disposition, all seemed to point to a victory for the opposition, in which event there would be a renewal of the old difficulties and an inevitable resort to a dissolution.[159] It was a time of anxious anticipation with Governor Smyth. The elections occurred near the beginning of the new year, 1832, resulting in the return of most of the same individuals who had sat in the late House, and with an addition of others of the same disposition. The opposition majority in this Assembly was stronger than it had been in the former one.[160]

The Governor opened the session of the legislature on the seventh of February with another appeal for the removal of the legal distinctions as to race, urging that the House could surround itself with grateful friends.[161] A House committee hastily drew up a reply, on the receipt of the executive address, and presented it to the House for its sanction. It contained a refusal either to alter the laws governing the negroes, or to legislate at all while Sir James Smyth was Governor of the Bahamas. The Governor was addressed in language that was unusual on such an occasion. Messrs. Malcolm and Nesbitt, the sole government members, proposed certain

[157] *Loc. cit.*, No. 132. Some of these officials doubtless favored strongly the policy of the government but dared not take active part in the elections because of this influence of the House over them. Incumbents of these positions who were sent out from England were generally favorable to the policies of the government and were a source of strength to it in its struggles with the local legislature.

[158] *Loc. cit.*, No. 127. When the petitions for the removal of the Governor were sent in, the free blacks of New Providence petitioned the King to retain Sir James Smyth as their Governor. There was a like petition of the whites of the same island. See acknowledgment of these in Ds., S. St., 1831, No. 32. In his despatch, No. 133, the Governor wrote that many of the ignorant whites at Abaco and elsewhere signed the petitions against him, because they were under the influence of the store keepers on Bay Street at Nassau.

[159] Smyth's Ds., No. 127. While the Governor was planning for the meeting of the legislature, he was also planning the course he should follow in case of a dissolution without the passage of the necessary legislation.

[160] H. V., 1832, p. 1.

[161] H. V., 1832, p. 7, Governor's opening address.

alterations in order to make the address more respectful. All their suggestions were rejected by the vote of 19 to 2, and the address was presented as it had come from the hands of the committee.[165] The temper of this body was further shown on the presentation of a despatch from the Secretary of State, in which the full plan of the Ministry for the amelioration was outlined.[166] Those who were urging these measures little reckoned that within the next two years Parliament would take the vital step in disposing of this burdensome question; they could not foretell that the proposed regulations, if adopted, would have no more than time enough to come into full operation before the necessity for them would have passed away. The hard experience of eight years had impressed the Ministry with the necessity of firmness in dealing with the holders of slave property, and of consistency in the advice that

[165] H. V., 1832, pp. 18-19.

[166] V., 1832, pp. 25-32. Copy of the despatch of Secretary Goderich. The home government now attempted to make it known that there had never been any intention on its part to deceive the colonists, but that now it was thought well to make a full declaration of its motives and intentions which had actuated it throughout the whole course of its dealings with the slave question. It was represented that it was necessary to satisfy the feeling for the slaves in the mother country. On the other hand, that there was a strong feeling of sympathy for the holders of West Indian property, which was so much affected by these measures. It was represented that during the last eight years the efforts in behalf of the slaves had met with slight success, that advice given had been little heeded, and "in many cases rejected without the forms of respect." The following was stated as the final intention, but not in the spirit of peremptory dictation: "His Majesty's government intend to propose to Parliament in the present session, in common with other financial measures of the year 1832, a measure of substantial relief for the West Indian interests, so framed as to take effect on the produce of the Crown colonies as a matter of course; and upon that of the other colonies only in which the provisions, in their precise terms, and in their entire extent, of His Majesty's Order-in-council (of Nov. 2, 1831), for improving the condition of the slaves, shall have acquired the force of law. The measure will be so framed, that the indispensable condition of receiving the benefit of it will be the existence of a colonial statute having passed the colonial legislature simply, and without qualification in terms, or time, declaring the Order-in-council to possess the force of law in the colony." Further, it stated that allowing the legislature to frame the statute was by no means the intentions of the home government, as that left in its hands also the essence of the law. The labors of several years had secured the faithful execution of very little of the desired program. Prejudice prevented the Colony from doing what the home government demanded; dispassionate self-possession, so much needed for unbiased action, was absent. The government would be seriously concerned, if these measures failed to pass. The prosperity of the planters was to be renewed. West Indian insensibility to public opinion in the mother country was regretable in this view, for it threatened the colonies with more dangerous calamities and commercial reverses than they had ever experienced, and which it was beyond the power of human resources to prevent.

was given them.[164] The copy of the Order-in-council was laid before the House at the same time.[165] It was printed, and copies of it were distributed by the members of the House to their constituents, in order to obtain their views, before deciding a question of such momentous importance.[166] But whatever might have been the opinions of their constituencies, they repeated their declaration not to consider the question of amelioration while the head of the government remained unchanged.[167] The Council expressed its opinion that the measures were not applicable to the Bahamas.[168] The colonists feared that if the Governor were allowed to continue his course a slave insurrection would follow. Again they recited their grievances in a petition to the King for the recall of Governor Smyth.[169] The House proceeded to business, passing bills "for the public benefit," some of which were so framed as to make sure that the Governor would not give his assent to them. Thus the responsibility for the lack of legislation would be shifted to the Executive. Payments were authorized by the House to be made without the warrant of the Governor.[170] Other measures offered by the House would have perpetuated the legal recognition of the race distinction; a market bill provided that no negro should be a member of the market commission; a printing bill contained within itself the names of all the commissioners, all of whom were members of the House of Assembly; the revenue and appropriations bills contained very objectionable provisions. Three or four important bills that were presented were left unsigned by the Governor.[171] When the violent course of the House led it again to the point of petitioning for the recall of the Governor another dissolution was resorted to, in order to prevent more violent conduct.[172]

[164] *Loc. cit.*, pp. 25-32.

[165] *Loc. cit.*, pp. 33-72.

[166] *Loc. cit.*, p. 110.

[167] *Loc. cit.*, p. 121.

[168] Smyth's Ds., No. 141. All but two of the members of the Council were at the mercy of the House on the salary list question. The Governor hoped to gain control of the salary list, and thus secure independent action on the part of the official members of the Council.

[169] H. V., 1832, p. 209. The petition was dated March 21.

[170] Smyth's Ds., No. 142.

[171] *Loc. cit.*, No. 143. The Governor had forewarned the House that he would not sign any bills that were such as would tend to perpetuate the invidious race distinctions.

[172] H. V., 1832, p. 232. This was the second dissolution within a period of eight months.

Governor Smyth and the Slaveholders.

This was the end of the struggle between Governor Smyth and the House of Assembly. With the consent of the Secretary of State, the Governor determined to undertake the government of the Colony for a term without the assistance of the legislative body, hoping thus to introduce a better state of feeling among the people. Before the time when the next House was called Sir James Smyth had been removed from the Bahamas.

The excitement which had prevailed among the inhabitants of the Colony had only been increased by this second dissolution of the Assembly.[173] The persistence of the House in its opposition to the wishes of the home government, and its heedlessness to the warnings of the latter, had, in the view of the Governor, caused it a considerable loss of prestige. On the other hand, the consistent attitude of the Executive towards the question of race distinctions, and his maintenance of the rights of the prerogative, had very materially increased his personal influence in the Colony and had won back to the Crown representative the exercise of important executive functions.[174] The control of the markets and the public buildings had now come into the hands of the Executive, and he had gained a temporary control of the civil list.[175] As a result of the contest the Colony was left without the regular annual provision for the revenues. But the Governor was not thus entirely deprived of the means of supplying the needs of the public service. There were still some funds at his disposal.[176] While these would not supply all the demands on the public purse, they did relieve the Governor of the fear of not being able to carry on the government. Public and private interests would have to suffer great inconvenience in this state of things,[177] unless succor came to some of them from the

[173] Smyth's Ds., No. 143.

[174] *Loc. cit.*, Nos. 143 and 163.

[175] *Loc. cit.*, No. 143.

[176] H. V., 1832, 214. The funds that would be forthcoming, in the absence of the annual revenue act, were salt and tonnage duties, and duties imposed by acts of Parliament and collected by the King's revenue officers at the ports of the Colony. An old act of the Assembly of the 8th of Geo. II, came into operation in such default of revenue as this. It provided for revenues of which the Crown could dictate the disposal. It had been forgotten in the years 1793-4, when the Earl of Dunmore had difficulties with the House; the Receiver-General had unearthed this statute and duties were collected under its authority. It had never been repealed, perhaps owing to the negligence of the House in not removing this possibility of obtaining revenue from the Governor. Ds., S. St., 1832, No. 65. In addition to this there were the funds arising from the quit rents which came to the Crown.

[177] Smyth's Ds., No. 143.

home government, for which the Governor made application to the Colonial Department.

The Governor was left in complete control of the situation. The Assembly, being out of the way for the time being, there were sufficient revenues in his grasp to carry on the government without the interference of those who had supported the late House,[178] and he received the approval from the Secretary of State for that conduct which had excited such protests on the part of many of the colonists.[179] Further than this he was informed that the petitions, which had been sent in, calling so urgently for his removal from the government of the Bahamas, had been laid before the Privy Council, and that that body had not considered them of sufficient weight to merit any serious attention.[180] The state of feeling in the Colony was still much the same as it had been. The same prejudices existed, and there was the same aversion to the head of the government that there had been since that official had had his first break with the legislature. The seal of approval of his past conduct was an encouragement to him to continue his efforts in the "out-door" sphere, in which he had been so successful. He fully realized now that the task of relieving the negro population from the burdens under which they had been placed, and the raising of them to a higher plane, was anything but a popular undertaking in this atmosphere of slavery. He also realized that the whites alone were qualified to deal with the problems of local legislation, but that they needed to be taught the reality of the royal power, and that they should pay due respect to it. In order to accomplish his purpose the Governor feared it would be necessary to lay open wider the wounds of the Colony, and to estrange the people perhaps more than ever before, but he was confident that, with the support of the royal power, as he had been upheld thus far, there would be a speedy improvement in the state of feeling throughout the Colony. He continued his course as he had done before. During the remainder of his incumbency of the government he was not to be interfered with by the encroachments of the legislative power, upon what belonged to the Executive,[181] nor with its protest against the proper performance of his duties. We shall see how completely he had things under his control, and in what respects the local authorities were enabled to obstruct his attempted reforms.

[178] *Loc. cit.*
[179] Ds., S. St., 1832, No. 65.
[180] *Loc. cit.*, No. 73.
[181] Smyth's Ds., No. 163.

The Governor's Council.

In entering upon his new experiment the Governor had the support of the majority of his Council. Although he was successful from the very beginning, there were petty annoyances that constantly disturbed him, and tended to keep alive the animosities against the authorities. The House of Assembly in its late session had provided, before its dismission, that, in case its life were brought to a premature end, its commissioners of correspondence should keep up their communication with the Colonial Agent in London. A stream of complaints was kept going to the mother country; something was being done to disquiet the people and keep up the state of ill-feeling.[182] But the people were disappointed that the Governor was enabled to continue the government without the necessity of the voting of funds by the legislature. The ordinary functions of the government were performed regularly and punctually; salaries were paid as they had been at other times. The disappointment at his progress found lodgment in the hearts of some members of his Council. The venerable Chief Justice of the Bahamas, William Vesey Munnings, and three other members of this confidential body, could not cheerfully contemplate this successful administration. Necessary actions of the Council were "caviled at," petty obstructions were thrown in its way to impede it. Outside of the Council, the Chief Justice was in a position to defeat the ends of the government by the interpretation of the laws.[183] With his companion obstructionists in the Council he gave out a statement in public that the arrangements, suggested in the Order-in-council of November 2, 1831, were impossible of application in the Bahamas. A statement under his authority was respected, and this one would have the influence of turning men against the measures for the amelioration of the slaves. He attempted to induce the Governor to issue

[182] Smyth's Ds., No. 143.

[183] Smyth's Ds., No. 194. The Governor had desired the removal of Chief Justice Munnings from the Colony, in order that some one might be put in the position of Chief Justice who was not accustomed to interpret the laws to the prejudice of the slave, and in favor of the white man. From his long continuance at the post, Munnings was not the man to aid in the introduction of a new system in the Colony. The Secretary of State had at first considered favorably the plan for the transference of the Chief Justice to a place outside of the Bahamas. Later, however, he advised the Governor that he was unable to make the promotion. The great disappointment of Mr. Munnings at this intelligence doubtless contributed largely to determine his conduct at this time. Smyth's Ds., No. 194.

warrants for payments from the colonial treasury in an illegal manner.[184] The Governor feared a coalition of the disaffected members for the purpose of outvoting him. In order to prevent this, he seized the opportunity in the absence of two of the members from New Providence, and the inability of one other to attend, to call to the Council the Solicitor-General, the Receiver-General and the Collector of the King's customs, all of whom were of the government party.[185] The two disaffected members remaining were chagrined at the next meeting to find that they were outvoted. They gave vent to their feelings of disappointment in such rough manners and intemperate language that they were both dismissed.[186] By such measures the Governor disposed of the remnants of opposition that were left in positions of authority. At a meeting of the Council in the last quarter of 1832 he disclosed that the Colony was able to pay all salaries—judicial, ecclesiastical, and civil—in full. No hindrance to the course of public business occurring, the public confidence in the measures of the government appeared to increase. The Governor purposed to put off as long as possible the calling of a new legislature, in order that the public mind might be given time to regain composure.[187]

Attempt to Educate the Africans.

In the meantime, the Governor was making anxious endeavors to educate some of the negroes. The colonists had regarded his activities in this sphere with jealousy. The expense of what had been undertaken in this way had fallen on the Crown funds, with the sanction of the Colonial Department. Governor Smyth had desired to have placed at his disposal a quantity of school supplies, that were in the hands of the board of education, in order that he might use them in the African schools, which he had established. As Chancellor of the Colony he forced the board to give up the supplies, but he received from its members a discourteous note. He placed all of them in prison. All

[184] Smyth's Ds., No. 194. The Chief Justice in a meeting of the Council remarked that it was useless to have the Council sign the warrants for the quarterly payments from the treasury, as its consent was not necessary. The Governor merely replied that he was doing it that way because he had been instructed to do so. The legal method was for warrants to be signed in the presence of the Council. *Loc. cit.*

[185] Smyth's Ds., No. 200. He at once applied to the home government for a ratification of his conduct.

[186] *Loc. cit.*

[187] *Loc. cit.*, No. 206. This was the third quarter for which the Governor-in-Council had been able to provide support to public interests.

but two obstinately refused to make the apologies required of them. The other five had to submit to the indignity of remaining in prison for a few days. The effect of this was to increase the influence of the Executive and the public confidence in his impartiality to all classes.[188]

The Out-Islands.

Although the Governor could send back an Assembly to its constituency, still he could not by this means control slave masters in all their dealings with their slaves. The people did not consider themselves subject to all the restraints which the Governor had attempted to enforce in their relations with their slave property. In the Out-islands the prestige of the reforms that had been effected in part at Nassau was not great. In these places the Magistrates were of the same class as the ignorant mass of the people. From such administrators of the law, justice could hardly have been expected, especially towards a class of persons whom they held as chattels. The consolidated slave law was so loosely constructed, and speciously worded, that it could easily be interpreted and applied to the prejudice of the slave class. The giving of slave testimony had become a deterrent to the infliction of wanton punishments of slaves, and yet the section of the slave code applying to testimony was the most complicated portion of the statute.[189] The possibility of abuses on the Out-islands was so great that Governor Smyth resolved, on his own authority, not to allow the removal of slaves from New Providence to any of the Out-islands, unless the names of all slaves thus removed should be entered in his office as qualified and competent to give evidence in the courts.[190] At Governors Harbor, Eleuthera, it was reported that several masters had not allowed to their slaves the requisite legal amount of food and clothing.[191] Cases of cruelty occurred in some places. In several instances when masters attempted to exercise authority over slaves, or to inflict punishment on them, the latter ran away to Nassau, where they knew they could claim the protection of the Governor.[192] It has been stated

[188] Smyth's Ds., No. 203. It is interesting to note in connection with this affair that the Secretary of State not only refused to ratify the conduct of the Governor, but that he also replied that he had no power to interfere with, or take cognizance of, the exercise of the Governor's powers as Chancellor of the Colony. He declined even to express an opinion on it. Ds., S. St., 1832, No. 114.

[189] Smyth's Ds., No. 212. Also 10 Geo. IV, 13.

[190] Smyth's Ds., No. 212.

[191] *Loc. cit.* Also Balfour to Stanley, No. 27.

[192] Smyth's Ds., Nos. 63, 64, 187, 189 and 216.

above that the treatment of slaves in the Bahamas was mild. If that is true still there were cases of the most unwarranted cruelty on the part of masters, and of illegal punishments, inflicted in an illegal manner. But the statement that the slavery of the Bahamas was a mild form of that institution must be taken as a relative statement, and to substantiate it, the number of instances of cruelty there occurring, relatively to the number of slaves in the Colony, must be compared with like returns from other colonies, or from the neighboring States in the same time. As compared with the slavery of the States, it may be said that the people of the Bahamas on several occasions deprecated the introduction of slaves from the continent, for the reason that they feared that the latter were so discontented, that they would be mutinous, owing to the extremely severe treatment which it was presumed slaves always received in the States. The same was true to a large extent in the case of slaves from all of the island colonies, especially from San Domingo and the French colonies. But, on the other hand, it is very easy to argue that the number of cases of cruelty in this Colony would not have to be very large in order to make the percentage high, for the slaves of the Bahamas numbered only 9000 to 10,000. However this may be, the Bahamas were by no means free from cases of cruelty, and Sir James Smyth was ever unremitting in his efforts to do away with it altogether. He found the state of public opinion disappointingly low, according to the standards of morality and social consideration to which he had been accustomed. He set to work to try to educate the public mind to a higher plane, but he did not wait until this was accomplished before trying to shield the negroes from occasional barbarous treatment. It was part of his plan to teach by example, as well as by precept, and to place before the Bahama public examples of justice tempered with mercy.

Law Against Cruelty to Slaves not Enforced.

In entering upon this line of conduct, Governor Smyth was making a break with the precedence of a system that was perhaps as old as the Colony itself. He was breaking with the interpretation, and with the application, of the law that had grown up within the Colony. The Governor determined to prevent further evasion of the slave laws. He was advised by the law officers of the Crown at London that he could proceed against a slave master charged with cruelty on ex-officio information. He then ordered the Attorney-General to bring before the grand jury the three worst cases of alleged cruelty, that he would have to take up by indictment, and through them to make a test of

the enforcement of the law against the cruel treatment of the slaves.[193] In spite of the fact that the grand jury, chosen to prefer indictments in these cases, was the fairest one that had been summoned in the Colony for several years, the several bills were ignored; so nearly was slave evidence, and the complaints of slaves, excluded from the Bahama courts.[194]

Masters continued to take advantage of the authority they had over slaves, to inflict punishment on them up to the time of the abolition of slavery. It is possible that there were more cases of this sort of conduct after the coming of Sir James Smyth as Governor than before. Their slaves may have been less disposed to compliance with the master's orders, when they knew that there was a high authority to whom they could complain with the certainty of being heard. The masters may also have been more irritable, and more disposed to inflict punishments, and to enforce subordination, for the same reason. In August, 1833, three magistrates brought to justice an offender, for cruelty to a female slave at Harbor Island. Their conduct caused such a commotion in that place, that the magistrates were compelled to swear in special constables in order to keep the peace. Four out of twelve of these were free negroes. The excited

[193] Smyth's Ds., No. 202 and 212. Also Ds., S. St., 1831, No. 37. The case of John Wildgoos was one which the Secretary of State deemed it desirable to prosecute. Wildgoos had, however, left the Colony with other rabid slave men like himself, declaring that no man could live under "the present arbitrary Government of this Colony." Ds., No. 202. Wildgoos went to America. The three cases selected for this test were: (1) That of a number of slaves from Eleuthera, who had run away to Nassau to complain to the Governor of the severity of the punishment inflicted on them. They had been taken back to their master, severely whipped again, and on their way to Nassau, making a second attempt to escape, their boat capsized, and the whole company was drowned (Smyth's Ds., No. 187); (2) The case of a female slave at Harbor Island, who had been beaten "by her master with a cow-skin about the back, shoulders, bosom and face. In this case a brother slaveholder, who was a magistrate, interfered to denounce the conduct of the master, the first instance of the kind that had come to the knowledge of the Governor; (3) "The third," writes the Governor, "was that of a wretched worn-out old man, who having served his master all his better days, was sent adrift to seek a new owner, carrying a paper saying that he was to be sold for $25." The Governor himself found him and referred his case to the police court. Soon afterwards he found the same negro "bleeding from the effects of a flogging which his master had caused to be inflicted upon him for having complained to me (the Governor) the day before." (Ds., No. 202, dated Jan. 1, 1833.)

[194] Smyth's Ds., No. 212. For other cases of cruelty see *loc. cit.*, Nos. 63, 64, 139, 187, 212, 216; Balfour to Rice, Nos. 32 and 41. Also Sess. P., 1831-32, 46, p. 287 (24), enclosures in a despatch of Sir James Smyth; letter to a member of the House of Assembly at Nassau on the flogging of women. Also H. V., 1833, pp. 105-106. Also Ds., S. St., 1833, No. 27, and 1827, No. 1 (May 12, 1827), and enclosures. Also *Nassau Gazette* of Feb. 17, 1827, Feb. 24, 1827; and Ds., S. St., 1827, No. 2, of Sept. 28.

feelings against the magistrates rose higher, and the three magistrates were on the point of resigning their commissions. Lieutenant-Governor Balfour secured from the Colonial Department approval for this conduct, as in line with the policy which it was desirable to follow in the slave colonies.[195] On other Out-islands occurred instances of mutinous conduct on the part of slaves, owing to the negligence of their masters, or overseers, in providing them with the requisite rations and clothes. At Exuma and Eleuthera gangs of slaves refused to work for this reason, but no serious consequences resulted.[196] If these cases occurred at this time, when it was known that there was a Chief Magistrate in the Colony, who was intent on punishing offenders against justice to the slaves, it is not unlikely that such a state of things existed during the years before his coming. Although these cases may not have been of frequent occurrence, still it is evident that the slave system of this Colony admitted of flagrant abuses from ill-tempered or harsh masters, and that there were here men who would take advantage of the opportunity, left open to them, to treat human beings with lack of consideration, and with unmistakable cruelty. The attitude of the public mind towards Governor Smyth gives strong evidence of the tolerance of public sentiment in the Bahamas towards the slave owner who chose to leave conscience behind in dealing with his slaves. It must have been as tolerant before Sir James Smyth came as it was afterwards. Indeed, if we accept the testimony of the slaveholders themselves, when they said that the barbarous practices, inveighed against by this Governor, were rapidly being discontinued by the force of public sentiment,[197] we must conclude that conditions were better in this respect than they had been formerly. However few, or many, the cases of this kind of treatment may have been, it is safe to say, that, in the case of John Wildgoos, the members of the House of Assembly, who may be taken to represent fairly the public opinion, were not willing to investigate the abusive conduct of a fellow member, and to put the account of

[195] H. V., 1833, pp. 105-106. Balfour to Stanley, No. 32. For the approval see Ds., S. St., 1833, No. 27.

[196] Balfour to Stanley, No. 41. The Lieutenant-Governor sent a squad of soldiers to Eleuthera to quiet the disorder. At Exuma, however, the difficulty among Lord Rolle's slaves was caused by the failure of the "literate manager" to allow to "illiterate slaves" what was due them. On that ground the government declined to interfere.

An instance of the most revolting cruelty occurred at Watlings Island in July 1833. A slave was tied hands and feet to a beam, another slave was placed across the suspended body, and, while in that posture, a merciless flogging was administered. Death resulted from the cruelty. *Loc. cit.*, No. 23.

[197] H. V., 1831, p. 95.

it on paper, so that it might become generally known. This would doubtless apply to other cases also, which occurred with their consent, or at least without any expression of disapprobation.

Removing Slaves from One Island to Another.

The removal of slaves from one island within the Colony to another was a source of vexation to the colonists, and a thing that caused no little unpleasantness in their relations with the Governor. The removal of slaves from one British colony to another was regulated by statute of the imperial Parliament. By the same authority removals from one island in the Bahamas to another were made only by special permission in each case. The licenses for this purpose were issued by the Governor, but only on condition that the owner of the slaves to be removed held lands in the island to which the removal was to be made, and was taking them thither for the bona fide purpose of cultivating such lands.[198] The result, as in the case of the registration of slaves, was a great inconvenience to the planters, who had to bear the expense of a trip to Nassau, and a loss of time, in order to transfer a gang of slaves from a plantation on one island to one on another. The worn-out condition of the soils of the Bahamas, the consequent decrease in their productiveness, and the augmented hardship on owners of supporting slaves, whom they could not employ fully, increased the feeling of the people against the vexing regulations which Parliament had imposed upon them.[199] There was often great diversity of employment of slaves in the same gang in this Colony, and the interests of the same master often required removals back and forth from island to island during each year.[200]

The people were not disposed to comply with the law on this matter.

[198] Smyth's Ds., No. 63; also No. 216. The Governor gave a mistaken interpretation to the law respecting removals, in his zeal to protect the slaves from injustice. He held that an owner could remove a slave from one island to another, only when he held lands in both islands, the one from which, and the one to which, the removal was to be made. He refused to grant licenses to those who could not certify that they held possessions according to his interpretation. During the incumbency of his successor, Lieutenant-Governor Balfour, Lord Stanley corrected the error by his instruction that the ownership of lands on the island, to which the removal was to be made, was sufficient warrant for granting a license for a removal.

For Secretary Goderich's opinion on the law, see Ds., S. St., 1831, No. 103. The imperial regulation is found in Imp. Stats., 5 Geo. IV, 113.

[199] H. V., 1828, pp. 27-28. Petition asking that the Bahama slaveholders be allowed to remove their slaves to some other colony where they could be profitably employed.

[200] H. V., 1828, p. 79. Also pp. 67 and 73.

The conduct of a prominent local official, Assistant Justice Lees of the General Court, was no encouragement to others to abide by the law. He tricked the Governor into granting a license, in an irregular manner, for the removal of a gang of slaves from Exuma to Cat Island. When the slaves were about to be removed they fled to Nassau to complain to the Governor. Lees took possession of them, brought them to trial, and threw them into the workhouse, where they were severely flogged as runaways.[201]

These regulations interfered with the use of slave mariners, many of whom were employed in the shipping of the Colony. Formerly a master could go to sea with his slaves at his own convenience, without any reference to the authorities in the government. The necessity of going to Nassau, in order to obtain a permission for each trip, in great measure deprived the masters of the value of these slaves.[202] Unless such slaves had been registered, before setting out from one island or port for another, they were liable to seizure on arrival at a port, to which the customs establishment had extended. They could then be prosecuted, as slaves brought into the island without the warrant of the Governor, the penalty of which was forfeiture.[203] The legislature protested against this regulation in the winter of 1831-1832 on the arrest of five mariners, who had been seized under it. Their protest produced no effect on those who were responsible for the regulation, although the Governor did, in the case referred to, restore the slaves to their owner.[204]

[201] Smyth's Ds., Nos. 63 and 64. Both the Governor and Lees were at fault in this affair. The former had not required the latter, as agent for Lord Rolle, to obtain the license from the Public Secretary in the regular way. The latter did not tell the whole truth as to the purpose of the removal until after the signature of the Governor had been secured to the paper bearing the license. The Governor protested against it, but to no purpose. As an officer of the law the Assistant Justice might have been more careful to comply with the letter of the law, which he certainly understood, as an example to the community. (Ds., S. St., 1831, No. 5.) Lees seemed to have had a private understanding that if he obtained the license for the removal, he would receive a portion of the profits of the cultivation of the land of another man than Lord Rolle. (Smyth's Ds., No. 63.) Another feature of this affair was that no record of the trial of the slaves at Nassau was kept.

[202] See H. V., 1831, p. 73.

[203] *Loc. cit.*

[204] H. V., 1831, p. 73. See also *loc. cit.*, appendix. The vessel, which was thus taken possession of, was on a wrecking tour. It had put into Crooked Island, where there was a collector of the port, who had never made known the fact of his presence. There had been no separate notice given out that this regulation would apply to the mariner slaves. The Crown law officer took the view that the slaves should be forfeited according to the provisions of the law. The Governor decided, and acted, on the merits of the case, and restored them to their owners. *Loc. cit.*, 1831, p. 95.

Slave Trade Survives.

Daring adventurers kept up the slave trade. Even in the face of the diligent endeavors of the British Empire to apply its laws against the traffic, the promise of gain by the smuggling of slaves into the colonies tempted many to engage in this inhuman business. The islands of the Bahamas with their numerous jutting rocks, and treacherous surrounding seas, lay in the track commonly followed by slavers on their way to certain parts of the slave territory. Navigation through these seas was always attended with great danger and wrecks were frequent. Slave ships were not exempt from these perils. Besides, the vessels of the royal navy patrolled the waters for the apprehension of slavers. Both wreckers and men-of-war continued to bring slavers into the port of Nassau, until long after the abolition of slavery in the British colonies. This was the origin of a numerous class of people in the Bahamas who became objects of special care to the Executive, and often of jealousy to the owners of slave property. Naval officers were eager to make such captures, in order to gain the rewards offered for them by the home government. Customs officers were no less eager, on account of the fees that accrued to them on the condemnation of a cargo of captives.[205]

The law regarded those landed on the coasts of British territory as freemen by virtue of their having come to that territory,[206] and the Governor assumed the role of guardian of their interests. Some of them were placed in close settlements at different places in the Colony. One cargo of them was placed at Highburn Cay, 34 miles from Nassau.[207] This settlement was to suffer great hardships. The captives were of different tribes of Africans, speaking different languages. None of them had acquired any facility in the use of English, and there was no means of communication between them. It was soon found that the best plan for civilizing them was by placing them where they would come most into contact with the whites, where they could acquire the tongue of the Bahama Englishmen, and learn also to care for themselves. The drouth of 1833 bore with especial hardship on those settled on small islands. The Highburn Cay settlers were removed to Nassau.[208] Some of the able-bodied men among them were enlisted in the second West Indian regiment, but most of

[205] Ds., S. St., 1832, No. 71.

[206] Smyth's Ds., No. 130, and No. 137, in which there is another reference to the legal opinion on this.

[207] Smyth's Ds., No. 183.

[208] Balfour to Stanley, Nos. 16 and 26.

the others were apprenticed out, for terms of seven years, to the inhabitants.[209] Both of these methods of employing them were afterwards followed. As other cargoes were brought to Nassau, settlements were formed in places where the negroes could be under the care of the Governor. At Headquarters (the site of the present Grants Town), near the city of Nassau, at Carmichael, a few miles away, and at Adelaide, on the southwestern coast of New Providence Island, were founded the principal settlements of these new inhabitants of the Colony.[210] In these various places the Africans built their cabins and took up residences. The Executive gave them every attention. For those at Carmichael Governor Smyth advanced money from his private purse for their benefit, and labored in every way to minister to them and to relieve their hardships.[211] The legislature refused to aid the Governor in his enterprise. There was a jealousy of his activities in this direction, and he was looked on as a sort of "niggers' man."[212] The Bishop of Jamaica provided a small sum to aid in educating them,[213] and further sums were provided by the home government.[214] Their material needs were cared for, rations were served to them from the commissariat,[215] and, what was considered by the Governor as most important, means were provided by which moral and religious education was to be placed within their reach.[216] They were set to work on public improvements for the general good, on roads and wells at Carmichael, and on the construction of a salt pond at Adelaide.[217] Superintendents were placed in these settlements to act under the direction of the government in carrying out measures calculated to benefit the negroes. From the first it was the opinion of the Executive that they would be able to cope with their circumstances, and to maintain themselves.

[209] Balfour to Stanley, No. 26.

[210] Smyth's Ds., No. 183. Governor Smyth stated that in September, 1832, there were 514 of these negroes at Carmichael, 134 at Adelaide, and 370 at Highburn Cay. The service of the army medical staff was extended to these negroes in 1830 by a circular despatch from London. See Ds., No. 197, on the number condemned.

[211] Smyth's Ds., No. 137.

[212] *Loc. cit.*, Ds., Nos. 72 and 137.

[213] *Loc. cit.*, No. 31.

[214] Ds., S. St., 1831, No. 13. In his Ds., No. 72, Governor Smyth had asked the Lords of the Treasury for £650 for this purpose. The Lords acceded to this proposal.

[215] Balfour to Stanley, No. 16.

[216] Smyth's Ds., No. 72.

[217] Balfour to Stanley, No. 26. Lieutenant-Governor Balfour feared that it was likely that the salt pond would not benefit them greatly, after the oversight of a white man was withdrawn.

They were placed on vacant tracts of Crown land in each case.[218] The people expressed fears that their presence would bring disorders on the community,[219] but on every occasion they appeared to be orderly and disposed to work.[220]

Court Martial of Major Nicolls.

Sir James Smyth continued in the government of the Bahamas until the spring of 1833, at which time he was succeeded by Blaney T. Balfour as Lieutenant-Governor. The new Executive was of the same mind as Governor Smyth had been, on the question of slavery, although not as obtrusive as the latter in his manner. Sir James Smyth's leavetaking had been delayed by a court-martial of an officer of the troops stationed at Nassau. In the autumn of 1831 Major Nicolls became meddlesome in criticising the government of Sir James Smyth. His conduct was so flagrant that he was placed under arrest, and permission obtained from the Horse Guards to proceed against him by a court-martial, in order that the whole matter might be probed to the bottom, the insolence of the officer punished, and the government vindicated.[221] The application for the court-martial was allowed to lie at the Horse Guards unanswered for sixteen months. Meantime the offender was confined in the prison. He had not been identified with the opposition party at Nassau, but the attempt to prosecute him, as one who had criticised the government, was sufficient to arouse public sympathy for him. As the departure of Sir James Smyth was known to be approaching, the urgency of the matter was the greater, for the Governor was the sole prosecutor. If he had departed without having tried the case the trial would never have occurred, and it would have been looked upon as a discomfiture of the hated Governor. Exultation over it would have caused unpleasantness to the successor of Governor Smyth.[222] On the arrival of Balfour the trial was the theme of almost every conversation. "Every feeling of civil or military society was evidently enlisted on the one side or the other." The testimony all in hand Sir James Smyth departed, and Balfour assumed the government, while the case was awaiting the decision of the military court.[223] Balfour thought to remove Major Nicolls, in order that,

[218] Smyth's Ds., No. 72. The Governor wrote that the people of Nassau were expressly opposed to the settlement at Headquarters. At first the people steadily refused to aid them.

[219] *Loc. cit.*, No. 137.

[220] *Loc. cit.*, No. 137; also Balfour to Stanley, No. 26.

[221] Balfour to Stanley, No. 2.

[222] *Loc. cit.*

[223] *Loc. cit.*, No. 31.

having both principals out of the way, the excitement might subside. Partisans could thus be reconciled before feeling would rise against the new Executive.[234] The whole difficulty was adjusted during the following winter, when the officer appeared to make apologies for writing the letter which had stirred up so much trouble.[235]

Abolition of Slavery by Parliament.

The progress of the anti-slavery movement in the mother country was rapid. The pressure of public opinion on the Ministry for the amelioration of the condition of the slaves had kept the question constantly before the public. The colonies resisted throughout, and resented the pressure put on them to enact what they thought no authority had the right to urge. Slowly as the Bahamas yielded to the persistent persuasion of the British Cabinet and granted rights to the slaves, this Colony was among the first of the legislative colonies to take this action.[236] That which was most objectionable in the slave system, to the Englishmen in England, namely, the flogging of women, had been abolished in but few of the colonies.[237] The unwillingness of the legislature to move, and the consequent delays in the passing of the much desired statutes for amelioration, caused the demands of the English public to rise higher and to become more importunate than they had been. "The growth and power of public opinion in England," said Lieutenant-Governor Balfour to the House of Assembly, "and not ministerial voluntary option, imposed the necessity of Parliamentary legislation on this greatest of colonial questions. . . . . Investigations in the Lords and Commons, no less than the intolerance towards the sectarian missionaries in Jamaica, hastened matters . . . . . Public feeling rose to an uncontrollable height. The Ministry had but one choice, to bring forward the abolition of slavery. The cabinet hesitated at the eleventh hour. The House of Commons, in a few days, showed the leader of the Ministry that he must propose emancipation, or not continue to

[234] *Loc. cit.* Major Nicolls was not, however, removed.

[235] *Loc. cit.*, No. 88.

[236] H. V., 1829, Governor's closing speech to the House. The regulations were imposed on the Crown colonies by Royal Order-in-council.

[237] Sess. P., 1831-32, 46, p. 287 (24), enclosure No. 3, in Governor Smyth's Ds. of April 5, 1831. The Governor stated in this letter to a member of the House of Assembly that the abolition of the flogging of women was not a new experiment. He stated that it had been tried in Demarara, Berbice and Trinidad. At least one of these (perhaps all of them) was a Crown colony, where the regulation was imposed by Order-in-council.

carry on the public business."[228] The abolition was accomplished by statute of the imperial Parliament in the spring of 1833, the same year in which the laboring classes in the mother country were relieved of part of the grievous burdens under which they too had been laboring.[229] Thus was done at one stroke what might have been accomplished gradually, and without the necessity of a violent shock to the owners of slave property, but for the course taken by the colonies in evading the recommendations of the home government.

Measures were necessary to provide for affecting the transition from the regime of slavery to that of apprenticeship, as provided for in the abolition act.[230] The old laws governing the relation of the masters and their slaves were

[228] H. V., 1833, pp. 245-250. Address of the Executive to the legislature on the emancipation. In this address it is also stated that had the measure for the emancipation originated in the colonies, it would have been received with increased gratitude and attended with diminished risk, but the experience of the last few preceding years had convinced them that there was no ground for such a hope. The assemblies were less disposed than ever to pass such a law. The Ministry rose to meet the demands of public opinion. This address must have told the truth very plainly, and must have given the local legislators such a view of the state of things in Great Britain, and of what actually did bring on the emancipation, as the Ministry did not want the colonists to have. Lord Stanley almost reproved Balfour for his revelation of the secret motives that lay behind the conduct of the Ministry in proposing this measure to Parliament. He did not deny that the Lieutenant-Governor told the truth in his plain-spoken explanation of the conduct of the Ministry.

The chief of the investigations, referred to in the above quotation from the Lieutenant-Governor's speech, was that of the House of Commons on West Indian slavery, made in 1832. It is printed in the session papers of Parliament for 1831-32. vol. 20. a folio volume of several hundred pages. The information which the committee was instructed to collect was, in the words of the resolution authorizing them, as follows: To note, " (1) Any progressive improvement which may have taken place in the state of the slaves since the abolition of the slave trade in 1807; (2) the actual state and condition of the slaves, the nature and duration of their labor, and evidence as to instances of cruelty, and gross abuse of authority and power; (3) the increase or decrease of the slave population, as respects Africans and Creoles, and as affected by the state and system of slavery; and (4) plans for improving the condition of the slaves, or affecting their emancipation, and opinions as to the probable condition of the negro and the effect upon society in the islands which is likely to be produced by such emancipation." Ds., S. St., 1832, dated August 11.

On the publication of this report, naval officials were ordered to hold their ships in readiness to answer calls upon them to put down violence, which it was feared would result in some places. Secret instructions were sent to the governors of the different colonies to coöperate with the navy in the suppression of any disorders arising from this cause. See circular dispatch of Sept. 1, 1832, and the enclosed secret instructions. There were no serious disturbances in the Bahamas.

[229] Imperial Statutes, 3 and 4 William IV, 73.

[230] *Loc. cit.*

continued in force in the colonies, to which they applied respectively, until the first of August, 1834.[221] Commissioners, authorized by the Abolition Act, were sent to the colonies to assess the valuation of the slaves, on a basis of the average price of them during the period 1822-30, in order to determine the proportion of the twenty millions of compensation money that should be paid in each colony.[222] But the greater part of the labor of providing for the change which was to take place devolved upon the local legislatures. We shall now undertake to set forth what this Colony did for this purpose.

Balfour as Lieutenant-Governor.

Lieutenant-Governor Balfour had begun his administration of the government without the violent and strong prejudices, on the part of the colonists, which Sir James Smyth had aroused against himself. Once relieved of the presence of the latter, the colonists welcomed the assumption of the government by the new representative of the Crown. There was no promise of a relaxation of the efforts to give impartial justice to the negroes, which had been made by the Executive since the coming of Sir James Smyth. On the other hand the class about to be emancipated very soon found in Balfour as earnest an advocate of their interests as they had had in his predecessor. Fortunately for his relations with the House of Assembly, the flogging of female slaves was done away together with slavery, soon after his assumption of the government. The transition to the new system of apprenticeship was effected during his administration.

Rumors of the action Parliament was likely to take had reached the Colony. Holders of slaves had feared this from the earliest agitation of the

[221] Circ. Ds., Sept. 4, 1833, and further proclamation issued stating briefly to all classes what Parliament had done. *Loc. cit.*, and Circ. Ds. of June, 1833.

[222] Circ. Ds. of Sept. 4, 1833. See report of this commission in Sess. P., 1837-38, p. 329. According to this the average price of slaves in the Bahamas for this period, 1822-30, was £29 18 s. ¾ d. per head; the compensation was £12 14 s. 4¾ d. per head. Bermuda alone, of the West Indian colonies, received less compensation per head for her slaves than did the Bahamas. The highest price received in any colony was in Guiana, where the valuation was £114 11 s. 5¾ d. per head, the compensation £51 17 s. 1½ d. In the Bahamas there was a total of 1109 uncontested claims for compensation, and 24 claims involving the ownership of 456 slaves, which caused litigation. Of the classes of slaves according to the definition in the imperial abolition act there were 4020 praedials attached, 270 praedials unattached, and 3444 non-praedials, for all of which compensation was awarded respectively as follows: £53,794 13 s. 10 d., £3655 6 s. 6 d., and £61,233 13 s. 6 d. *Loc. cit.*, pp. 143-9, 344 and 358.

question of amelioration. Proclamations were issued to both slaves and masters, announcing that slavery had been abolished, and that it would be succeeded by an apprenticeship system, and warning all classes to abide by the laws. Slaves were urged to continue in the service of their masters, and the masters on their part to pay due respect to the commands of the officers of the law.[233] The Assembly was prorogued to a later date than that for which it had been called, in order to await the arrival of instructions from the home government, as to the measures which should give effect in the Bahamas to the abolition act.[234]

The Assembly Convened Again.

After almost eighteen months of successful administration of the government of the Colony without consultation with the Assembly, representatives of the people were again called in to provide for the needs of the community. In the interval the feeling against the government was not as high as it had been under the administration of Sir James Smyth. But the people did not forget their grievances against the Ministry and the local government. The abolition coming as it did was received by the slaveholders with sullen silence. The same feeling continued to exist as to the interference of the home government with the slavery question. When the elections for the new House came on, the people returned almost all of the same individuals who had sat in the last House. This did not promise harmony of action with the Executive, nor compliance with the wishes of the Ministry, in dealing with the question that was now uppermost, namely, the provision for the abolition.[235] The members were not disposed to accede to measures that were suggested by those whom they regarded as responsible for the loss of their slave property. Almost everything brought before them in this session had some bearing directly or indirectly on the slave question, so that it was difficult not to encroach upon the already injured feelings of these legislators. The Colony had come to a state of peace, although the old jealousies still slumbered in the breasts of the extreme slave element.[236]

[233] See Circ. Ds. of Sept. 4, 1833. Also Balfour to Stanley, No. 27.

[234] *Loc. cit.*

[235] See House Vote, 1833, p. 1; also *loc. cit.*, 1832, p. 1, cf.

[236] H. V., 1833, pp. 5-7, Lieut.-Governor's address on opening the Assembly. The Lieutenant-Governor stated that one-fourth of the debt of the Colony had been paid off, and that the coöperation of the Assembly was only needed to put the treasury on a firm basis, and to deliver the Colony wholly from debt. He expressed high hopes that harmony would prevail in the labors of the House, and that good feelings would be preserved throughout the session. See also Balfour to Stanley, No. 37.

The first matter disposed of by the House was the extension of privileges to the free black population. The provisions of the resulting statute will show how willing the people were to grant rights to this class. The act passed was entitled, "An act for Relieving His Majesty's free Colored and Black Subjects from all Civil Disabilities."[287] It contained first a declaration that this class should have the same privileges as if they were descended from white parents, and that they would be entitled to give testimony in the courts, after having enjoyed the state of freedom for a period of two years. But, as if this were granting too much at one time, this broad declaration was qualified. Native Africans brought in and manumitted were not to be allowed to give testimony until after six years residence in the Colony, and then only on presentation of a certificate from a justice of the peace, or from a clergyman of the established church, that they were qualified to testify.[288] This statute was allowed to remain in force for two or three years. It was then disallowed by the King.

Struggle over Executive Functions.

The Lieutenant-Governor now laid before the House the abolition act of the imperial Parliament, together with the instruction as to the auxiliary act, which the legislature was to pass, in order to give effect to the provisions of the imperial act. Some of the members of the House seemed to have desired to put on the records of the House a protest against the interference of Parliament in the affairs of the Colony. They were warned by the Lieutenant-Governor that it would not be advisable to do so.[289] The Lieutenant-Governor formed a plan for an auxiliary act, different from that which had been advised in the instructions from the home government, as he thought that that plan would not succeed in operation in this Colony, owing to geographical conditions.[290] But his hopes for coöperation from this Assembly were doomed to disappointment through the intrusion of an old and contested question. The House of Assembly held an indirect control over some of the most important executive functions of the colonial government. Through some means, perhaps, as Lieutenant-Governor Balfour said, by the negligence of his predecessors in the executive government, the House directly appointed the commissioners, who were regularly entrusted with the management of public interests, thus

[287] 4 William IV, Chap. 1.

[288] 4 William IV, 1; H. V., 1833, p. 32. A clause, regarding the giving of testimony in the act of 1829, was repealed by this act.

[289] H. V., 1833, pp. 245-6.

[290] Balfour to Stanley, No. 52.

making them independent of the Executive. These commissioners held in their control the expenditure of certain public funds. Responsible to no authority, they attended to matters hastily, expended money in a loose manner for works that were but indifferently done, for which none could call them to account.[241] Expenditures were specified in the appropriation bill, and the names of the commissioners were placed in the statutes constituting commissions, and authorizing them to act. Likewise the House governed the salary list. In this small Colony, where almost every man was involved in political collisions, private feelings of the legislators were not guarded against in deciding upon, and altering the amounts of, the incomes of the officials.[242] By its use of these powers the House had acquired an influence over the people of all classes, and men looked to it as the source from which the favors in the power of the state were dispensed. The proper influence of the executive was materially weakened.[243] The House had a right to control funds applied to the public service, to see that they were not diverted from their proper uses, and to curtail them if found too large, but after that was done it was not in their province to vote that they were too large, unless they were forced to such a course by the pressure of public necessity.[244] The House had also been able to control the officials or at least to bring pressure to bear on them, and to make their conduct conform to the state of feeling in the Colony. The use of these powers by the House had acted as a checkmate to the influence of the Crown representative. Sir James Smyth had effected a temporary emancipation of the civil list, and certain executive functions, from its grasp. His successor now looked on this as the most favorable time to wrest these powers from the House altogether. He determined to veto bills, by which the commissions were created, unless

[241] H. V., 1833, p. 46, and Balfour to Stanley, No. 61.

[242] H. V., 1833, pp. 147-8, address of Lieut-Gov. to the House. It was not difficult for an official to make himself obnoxious at this time by an impartial execution of the duties of his office, and the House of Assembly was known to be a body that would use the effective weapon it had, in the control of the salary list, to keep officials dependent upon it.

[243] Balfour to Stanley, No. 61. Balfour characterized this dependence upon the legislature as an American feeling, which was due, in his view, to the great distance from the King's person, together with the proximity to, and the constant communication with, the States. And just at this time the feeling was the stronger, owing to the obnoxious measures that were being thrust upon their attention by the home government. The Assembly had been encouraged in its holding these executive powers by the virtual concession of them to it by the executive.

[244] H. V., 1833, pp. 147-8.

they allowed the Crown to select the members of them,[345] and by all means in his power to bring back the colonial government to the "sound constitutional principle of having the responsible servants of the government nominated by the Crown." He was even more jealous of the prerogative than Sir James Smyth had been.

When Sir James Smyth came into the government, the House, through its control of the salary list, held practical control of the Council which was made up almost entirely of salaried officials, and of men who themselves favored the popular view of the slavery question. We have seen how this influence was used for a time and how Governor Smyth relieved the fears of the officials on account of their salaries, and reconstructed his Council, introducing men who were better disposed to the government. The Council was thus brought to favor the policy of the government. But the House on its part was unwilling to see these things pass from its control. Long exercise of the executive functions by its appointed commissioners had caused its members to look on this as the legitimate order of things in a British colony. The Council was looked upon as a body which had no right to reject measures sent up by the House. It was only to ratify bills passed by the House and ought not to resist a demand of the people as embodied in a House bill. It claimed the rights, for which it contended, as fully recognized.[346] The House was jealous of the Executive, and had frequently protested against fancied encroachments of the latter upon its rights. Since the agitation of the slavery question had begun, ignorance of the real intentions of the home government had made the colonists, inside and outside of the House, suspicious of every step the government undertook. They feared schemes for aggrandizement and for the destruction of colonial rights; a snare was seen in every civility of the head of the government, and in "every proposal was an attempt at some unavowed advantage," which illusion only perseverance in "open unoffensive conduct could dispel."[347] Balfour attempted to invite confidence in himself, to explain his intentions, and to be frank and open in everything, but without avail. There was no leader to whom he could appeal, no party to whom he could address himself, no definite policy to be followed. Much time was spent in purposeless speech-making, without any attempt to carry on business. "Any new violent expression of

[345] Balfour to Stanley, No. 61. H. V., 1833, p. 46.

[346] H. V., 1833, p. 300, resolves of the House on the rejection of the market bill by the Council.

[347] Balfour to Stanley, No. 61; see also votes of the House for this session.

opinion was received with applause."[248] The only thing that could bring them together was some suggestion of opposition to the government and its policy.

The first breach of good feeling of the session arose over the market bill in which the House insisted on naming the clerk of the market. The Council, viewing the question from the administrative side, refused to accede to the House bill.[249] A conference of the committees of the two bodies undertook an adjustment of the difficulty. The Council considered the appointment to the clerkship in question as an undoubted executive function, and declared that it would not allow it to become subservient to the caprices "of any body of men however respectable."[250] After the conference a House committee was sent to inspect the records of the Council as to its action on this bill. It was soon found out that the latter body had thrown out the bill.[251] The House at once passed a defiant set of resolutions, holding that it was against the public interests to keep it longer in session, and that it would not appropriate any money for the public buildings and grounds "until the right of the people" over them should be fully recognized, and a bill should have received the assent of the Executive, entrusting the care of the public buildings to a commission of five or more persons named by a House bill.[252] As soon as intelligence of this reached the Lieutenant-Governor he called the members of the House to the Council chamber, where he administered some wholesome admonitions, and sent them back to their constituents.[253]

The Lieutenant-Governor had given warning that he would veto any bill reviving the old boards.[254] The Council had taken the exact course that he would have dictated if he had absolute control of it. Now that the House attacked it, and refused to proceed to business without the absolute submission of the Council, there was no other course left open to the Executive. The Council must have condemned the action of the House, or refused to vote at all,

[248] Balfour to Stanley, No. 61.

[249] The Council at this time had both executive and legislative functions residing in the same body of men. The members were not now in fear of the House, and their connection with the administration had doubtless given them the same view of the results of the House policy that the Executive himself took.

[250] H. V., 1833, p. 260, report of House committee on the results of the conference. This clerkship carried with it certain judicial functions.

[251] *Loc. cit.*, p. 265. The committee reported that the reading of this bill had been postponed for six months.

[252] H. V., 1833, p. 300.

[253] H. V., 1833, pp. 205-206.

[254] H. V., 1833, p. 46.

which latter it decided to do.[255] A collision of the branches of the legislature was approaching, and the experience of the years 1817-1821 was not forgotten. The discord between the branches of the government was as threatening to public interests as it had been at that time, and harmony between the two Houses had become a thing of the past. Such a body, Balfour thought, would not have been fit to deal with the slavery question in the stage to which it had come.

There was a reaction in public sentiment unfavorable to the members of the late House. This was favorable to the government. The advantage, due to the unpopularity of Sir James Smyth, had not been entirely lost. Suspicion still prevailed among the supporters of the late representatives. Many were jealous of the free blacks, who would now enjoy the exercise of the suffrage in the approaching elections for a new House.[256] It was probable that the new elections would result in the return of different individuals to the House, and in a virtual endorsement of the policy of the government. For this reason the writs were issued at once, and a new election was held within ten days after the dissolution. The more moderately disposed candidates were generally successful. But the presence of the extremist element in this House was shown in the first few days of its sittings. James Malcolm, who had been defeated according to the return from Harbor Island, made application for the unseating of the person elected.[257] He had been one of two members in the late House who had consistently voted against the majority. The House determined not to set any day for the consideration of his petition, until he should have entered into a recognizance for £200 to pay the expenses of the investigation, in case it appeared that the unsuccessful candidate had neglected to comply with the provisions of the law.[258] This had the effect of causing Malcolm not to pursue the object of his petition, for which it was doubtless intended. Soon the House voted that, unless the petitioner entered into the bond within three days,

[255] H. V., 1833, pp. 305-6. In dismissing the House the Lieutenant-Governor used strong language, but he thought he was justified in the case that was before him. He had hoped for a peaceful termination of the session. He had borne with many petty taunting actions of the House, hoping that it might become more moderate. See Balfour to Stanley, No. 61.

[256] *Loc. cit.*

[257] H. V., 1834, p. 47. In a scrutiny held in that district after the election, Malcolm had had no representative. On the return of the scrutineers, one of their number was heard to say that he believed, if Malcolm had been represented by a scrutineer, he would have been declared elected. On the strength of this the unsuccessful candidate prayed for an investigation by the House.

[258] *Loc. cit.*, p. 51.

it would not consider his petition at all.[359] The matter was allowed to drop. A few weeks later in the session one of the members for Harbor Island resigned, and Malcolm was allowed to take the seat thus vacated.[360]

Provision for the Coming Changes.

This House had met for the purpose of attending to the business of the Colony. It was necessary first to provide for keeping the slaves until the day when they would pass into the new condition of apprentices. The Registry Bill was reënacted on February 5,[361] and other necessary matters were disposed of. The important work for this session was to provide for giving effect to the Abolition Act of Parliament. A copy of the Order-in-council, that had been proclaimed in the Crown colonies, was sent to the House as a convenient outline for the formulation of the auxiliary act.[362] It was designed to relieve the slaveholders as much as possible in the loss of their property, and to lighten the burdens of the bondsman in the same manner. But the suggestions of the Ministry were not made in the form of demands. Slavery had been given its deathblow by the home government, and now everything was to be done to assist the afflicted colonies to make the best of a bad situation, which was, however, almost inevitable in the annals of nineteenth century progress in civilization. The apprenticeship system was recommended, as the most beneficial to the negroes, and as least burdensome to the masters, but the express instruction was that "neither as individuals nor as a legislature were they bound to continue the state of slavery, or apprenticeship, for an hour."[363]

The House set to work at once. A committee investigated the points touched upon in the Lieutenant-Governor's speech at the opening. Difficulties arose, owing to the ignorance which prevailed, on the part of both House and Executive, as to the share which this Colony was to have in the establishment provided for by the Abolition Act.[364] The act was passed, and the necessary provision for the introduction of the apprenticeship system on August 1, 1834.

[359] *Loc. cit.*, p. 68.
[360] *Loc. cit.*, p. 111.
[361] H. V., 1835, p. 176, the defects of this act are pointed out here.
[362] H. V., 1834, pp. 19-47.
[363] H. V., 1834, p. 5.
[364] This is especially true as to the number of the special magistrates that were to be allotted to this Colony. For a description of these magistrates and their powers, see next chapter. For the recommendations of the House committee, see H. V., 1834, p. 169.

was made.[366] There was an attempt to revive the old difficulties, over the appointments, during the session. A measure was introduced containing in itself the names of the commissioners of the public buildings.[367] The Lieutenant-Governor sent in a timely warning that he would allow no one but himself to appoint the buildings commissioners.[368] Several days later the House expressed its view again in a set of resolutions much milder than those of the previous session, but still claiming the right for which it had been contending.[369] The Council still stood in the way of the passage of the measure.[370] After conferring with the Council in the attempt to adjust the difficulty,[371] it was allowed to go over to the next session. The result thus far had been a victory for the government. The House could not dictate the appointments, and the Executive assumed the control to which he laid claim.

On the approach of the day on which slavery was to come to an end in the British West Indies there was much apprehension on the part of the whites that there might be uprisings among the slaves. Rumors had spread among the latter alleging good fortune to them far beyond what the home government had expected to grant them. But a part of their ignorance of their approaching condition was assumed rather than real.[371] The Lieutenant-Governor issued proclamations to both blacks and whites, urging them to be orderly, the masters to use every influence for the preservation of peace, and the slaves to remain in the service of their masters, whom they would have to serve several years longer.[372] The clergy of all denominations, who were enlisted in the cause of order, were very influential among the lower classes. The private secretary of the Lieutenant-Governor was sent with the proclamations among the Out-islands to read them to the people there. Everywhere he was listened to with confidence by the slaves, as he wore the uniform of a soldier. The effect of his

[366] See 4 William IV, 21. See on this act the following chapter on the legal status of the apprentices.

[367] H. V., 1834, p. 102.

[368] *Loc. cit.*

[369] *Loc. cit.*, pp. 155-156.

[370] *Loc. cit.*, p. 206.

[371] *Loc. cit.*, p. 253.

[371] In some places the private secretary of the Lieutenant-Governor on his trip to the Out-islands found wild misconceptions as to what the negroes were coming to. In one place it was believed not only that they were to become free, but also that all troubles were at an end, and that the King was going to give them bread all the rest of their lives.

[372] Sess. P., 1835, 50 (Part 2), pp. 251-2, and 261. Copies of these proclamations.

explanations and admonitions to the ignorant Africans was most salutary,[273] although disturbances at the Turks Islands required the sending of troops to restore order. At Exuma and Eleuthera petty disorders were soon quieted. At Nassau the whites took offense at the proclamation of the Lieutenant-Governor, which intimated that it was possible for them to commit acts which would deserve punishment, and fifteen out of sixteen copies of the proclamation, posted about the city, were torn down within twenty-four hours.[274] The detachment of the second West Indian regiment, which had long been stationed at Nassau, was withdrawn during this summer, pending a change in the troops. Their absence was an additional reason for apprehension to the people.[275] The delay in the arrival of the special magistrates who were expected with the July mail packet was an additional cause of apprehension;[276] but as the day of liberation approached the people did not become more disorderly, and, as if they appreciated the meaning of the great event that was taking place, they allowed that day to pass quietly, and slavery in the Bahamas passed away forever.

PERIOD OF THE APPRENTICESHIP SYSTEM.

A New Regime Instituted.

In undertaking the great movement for the emancipation of the slaves the English people intended to improve the condition of the negroes. The laboring classes in the English plantations had been in bondage throughout the history of those communities. Political rights were denied them, they were crowded to the bottom of the social scale, and the proceeds of their labor went to nourish and strengthen their masters. From being mere bondsmen they had been reduced to the condition of slaves, a very name from which men would shrink. The order was now to be changed. A movement began in the latter part of the eighteenth century which little by little gained the strength necessary to remove these legal discriminations against the negro. This movement first accomplished a denial of the right to carry on the traffic in African men and women in English territory and waters and on the high seas; after that the amelioration of the condition of the slaves and free negroes in the British possessions was undertaken. This latter object was pursued until the British Parliament was led to the point of dealing decisively with the

[273] Balfour to Stanley, No. 113.
[274] *Loc. cit.*
[275] *Loc. cit.*, No. 115. This withdrawal proved to be only temporary.
[276] *Loc. cit.*

slave institution. The slave was now to be given equal rights with his late master in every way that the law could define those rights. "The great cardinal principle of the law for the abolition of slavery," wrote Lord Glenelg in 1837, "is that the apprenticeship of the emancipated slaves is to be immediately followed by personal freedom" in the same way as it applied to the other subjects of the British Crown.[277] The old order in which the slave had rendered "implicit obedience" in return for the "maintenance of his life and health" was to be supplanted by one in which the negro could command himself just as the white man was doing.

The apprenticeship system was not forced upon the colonies by the great emancipation act. It was left to the Colony either to accept the labor force according to such a system, under regulations imposed by Parliament, or to set the slaves entirely free, if that were preferred.[278] It was wisest for the industrial interests of the Colony as well as more profitable for the owners of the slaves to accept the apprenticeship system. The status of the apprentices was defined in outline by Parliament. The colonial legislatures were allowed to enact such supplementary legislation, not repugnant to the abolition act, as was necessary for complete regulation of the laborers.[279] The plan of the home government was to secure eventual freedom for the entire laboring classes, which state a few in the colonies were already enjoying. Before emerging into full freedom, however, these ex-slaves were to pass through a term of semi-dependence on their late masters during which they were to exercise certain rights of freemen, their interests were to be carefully attended to by a corps of special officials for the purpose, and the whole period was to be a true apprenticeship to serve as a preparation for the responsibilities of freemen, which they were to assume at its close. As an additional compensation for the loss of their slaves it was arranged that they should serve their former masters to the end of this term.[280]

Classes of Apprentices.

With the exception of children of a certain age, there were two classes of the apprentices, distinguished according to previous occupation, (1) prae-

[277] Ds., S. St., 1837, Circ. of Nov. 6.

[278] H. V., 1834, p. 5. Address of Lieutenant-Governor Balfour to the Assembly.

[279] Imp. Stats., 3 and 4 William IV, 73, sec. 16. Any improvements the legislatures might make on the regulations of the imperial statute were to become binding on confirmation by the King-in-council. For the colonial act, see 4 William IV, 21.

[280] Imp. Stats., 3 and 4 William IV, 73, sec. 16.

dials, and (2) non-praedials. The praedial apprentices were those, who as slaves had been employed in agriculture or in the manufacture of colonial produce.[281] Of this class those employed on lands belonging to their owners were designated as praedials attached to the soil,[282] and were not removable from the plantations on which they were employed, without the consent of a special justice of the peace.[283] Those employed on lands not belonging to their former owners became praedials unattached, and were removable at the discretion of the employers. All slaves not included in the above description, such as day laborers, household servants, skilled artisans, sailors and others became non-praedials.[284] Children below the age of twelve were excluded from the class of praedial apprentices, except those who had been employed in agriculture for twelve months previous to the passage of the abolition act.[285] The intention of Parliament in passing the act had been that the non-praedials should be entirely freed after a term of four years, and the praedials after six years, thus freeing the colonies of the whole system on August 1, 1841,[286] but at the end of the four-year term of the non-praedials the Colony released all its laborers from involuntary servitude, fully accomplishing the immediate objects of the friends of the emancipation.[287] The Bahama negro was now a freeman, which it was the intention of his benefactors in Great Britain to make him. But his freedom was abridged in many respects, as we shall see, and he was far from being wholly responsible for himself or from being thrown upon his own resources. The Secretaries of State for the Colonies were very fond of writing of the negro apprentices as they did of "any other freemen," or "any other of His Majesty's subjects." The colonists on the other hand were reluctant to admit that the negro was a freeman, or to grant him the rights which the home government demanded for him.[288] They

[281] Imp. Stats., *loc. cit.*, sec. 4.

[282] *Loc. cit.*

[283] 5 William IV, 8 (10).

[284] Imp. Stats., 3 and 4 William IV, 73 (4), and Bahama Statutes, 4 William IV, 21.

[285] Imp. Stat., 3 and 4 William IV, 73 (4).

[286] *Loc. cit.*, secs. 5 and 6. This would not have prevented the holding of children bound out until they reached the twenty-first year of age, from being held after August 1, 1841; nor those under sentence for an extension of the term of apprenticeship for attempted desertion or other offense.

[287] On the release of the praedials, see 2 Vic., 1.

[288] See on this Sess. P., 1835, 50 (part 2), p. 253 (59), Ds. of Secretary Rice to Lieutenant-Governor Balfour in which he criticises the auxiliary statute of the Bahamas. Also H. V., 1834 (extra session), pp. 103-104, report of House committee on the objections to their enactment. See further concessions by the Assembly in the statute, 5 William IV, 8.

regarded him with jealousy, guarded him carefully, denied him privileges, erected barriers about him, and still preserved towards him that same attitude which they had formerly assumed towards their slaves. It was only by that persevering attention of the home government, working through the local government, that additional guarantees were secured for the benefit of the apprentices.

Legal Status of Apprentices.

The subject of the legal status of the apprentices will be discussed first from the standpoint of the apprentice, and second from the standpoint of the employer. Under the first will be considered the rights, privileges, etc., of the apprentice in the following order: (a) maintenance, (b) personal rights, (c) rights pertaining to contracts, (d) marital and family rights, (e) corporal punishment, (f) manumission, (g) other rights. The second division or the rights of the employer will be discussed under the following heads: (a) property in the services of the apprentice, (b) right to return runaways, (c) enforcement of obedience, (d) prohibitions on apprentices. Lastly will come the question of dealing with children.

Rights and Privileges of the Apprentice.

Maintenance.—The apprentice was still dependent on his employer for the necessaries of life. The same allowances were required in this respect which the slave owners had been required to furnish to their slaves.[200] But in this system an alternative was provided in that in lieu of provisions and clothing the employer could furnish to the apprentice an equivalent in land for cultivation, or in time or money, according to the terms of approved agreements.[200] If land was furnished, a portion of the working time of the apprentice, to which the employer was otherwise entitled, was placed at the disposal of the former for purposes of cultivation. These lands were required to be accessible to the laborer's habitation.[201] Apprentices over fifty years of age and those affected with bodily infirmities remained as a charge upon their employers, if dismissed from service by an instrument in writing.[202]

Personal rights.—The apprentice now came into the life of the Colony with many important rights of a freeman. His personality was now recognized in

[200] Imp. Stats., 3 and 4 William IV, 73 (11).
[200] 4 William IV, 21.
[201] Imp. Stats., 3 and 4 William IV, 73 (11).
[202] 4 William IV, 21 (7).

law, in the courts, and in his relations with his employer, and he was henceforth to be considered as a part of the Colony, affected by things undertaken and done in the name of the State. He was nominally placed on an equal footing with the most privileged persons in the Colony. In practice we shall find that he did come into the enjoyment of rights gradually, and that recognition, except social, was granted him. He could now hold real and personal property with all their attendant rights, and could sue, or be sued, in the courts of law and equity.[293] These things were guaranteed and recognized at the beginning of the apprenticeship period; some other rights were, however, withheld for a time. The legislature persisted in denying them to apprentices and only late in the apprenticeship period did it finally grant them. It was thus with the right to personal freedom. The auxiliary abolition act bound the apprentice to the plantation where he was employed, allowing him to leave it, as of old, only with the consent of his master. Even on the disallowance by the British Ministry,[294] the same provision was reënacted to keep the apprentices on the plantations where they belonged,[295] except on holidays and Sundays, when, according to superimposed regulation, they were allowed a certain latitude to attend religious services.[296] This remained the rule until the year 1837 when at last the master's pass card was expressly declared to be no longer necessary to enable the apprentice to go freely from place to place at any time "day or night, except during the hours of compulsory labor."[297] Confinement of apprentices for safe-custody was limited to cases in which other subjects of the Crown could be confined.[298]

From another important point of view this Colony insisted on further restricting personal liberty. There seemed to be a fear that, on the emergence of this poor people into the state of freedom, there would be a tendency to wanton idleness and mischief-making. Steps were taken to forestall any such tendency. A vagrancy law was passed in the year 1833,[299] when the members of

[293] 4 William IV, 21.

[294] Sess. P., 1834, 50 (part 2), p. 253 (59), Ds. of Secretary Rice to Balfour.

[295] 5 William IV, 8 (8).

[296] 3 and 4 William IV, 73 (21).

[297] 1 Vic., 19 (22). There is reason to believe that this regulation was enforced as persistently as its retention on the statute books demanded. There was always the fear that the negroes might assemble to concoct dangerous plots, or to rise in insurrection, if they were allowed to go as they pleased. There was also a desire to have the negroes, whether slaves or apprentices, in their places at all times.

[298] 5 William IV, 8 (1).

[299] 4 William IV, 2, passed Nov. 12, 1833.

the House had not recovered from their violent state of agitation at the conduct of Sir James Smyth, and an amendment was passed in 1835,[200] which, taken together, formed, in the words of the Secretary of State for the Colonies, "the most arbitrary vagrancy law in the West Indies." "Hard labor and imprisonment" threatened all idle, drunken and disorderly persons, and those who could not give account for the correctness of their lives,[201] and the possession of a kit of burglar's tools branded the holder as a rogue or vagabond to be dealt with summarily.[202] It was evidently aimed at the emancipated classes, and the Governor was given powers capable of great abuse.[203] These same acts forbade under penalty of five days imprisonment the assembling for "no specific and lawful object, loitering and carousing . . . in the liquor shops, loud singing or whistling, flying kites in or near highways, and calling loudly in the markets to attract customers."[204] Apprentices could leave the Colony with the consent of the masters, and could secure passports certifying to their identity.[205]

Rights Pertaining to Contracts.—A more liberal spirit was shown in the regulations between the employers and apprentices. Every agreement to which an apprentice was a party had to be attested by one or more literate witnesses.[206] This provision seemed not to have operated successfully. It seems probable that there was a laxness in securing to the negroes a full understanding of the terms of the contracts into which they entered. In 1837 a full understanding of all agreements was made necessary to give binding force to contracts with apprentices.[207] The most common form of agreement was that of task work which was substituted for the regular labor of the apprentice.[208] This form of contract was employed to some extent from the beginning of the apprenticeship

[200] 5 William IV, 17, passed Jan. 1, 1835.

[201] *Loc. cit.* See also Sess. P., 1836, 15 (appendix), pp. 77-78.

[202] 5 William IV, 17.

[203] Sess. P., *loc. cit.* Part of the danger in this lay in that when some local man became administrator of the government for a time the disposition to apply these acts strictly could easily work great wrong.

[204] See these acts in Sess. P., 1836, 49 (appendix), No. 66. These laws were still in force on February 2, 1839. See *loc. cit.*, 1839, 37, p. 487 (17). In a despatch of this date from Lord Glenelg to Lieutenant-Governor Cockburn, the latter was instructed to press the legislature to repeal them, and meantime to use his discretionary powers to mitigate the evils that might result from the application of them.

[205] 4 William IV, 21.

[206] 4 William IV, 21.

[207] 7 William IV, 8 (1).

[208] See 4 William IV, 21, on the authorization of this form of agreement.

system. It became very popular with both employers and laborers,[209] on account of its mutually advantageous features. At the end of the apprenticeship system many of the laborers were eager to continue in the service of their former masters under agreements similar to those under which they worked as apprentices,[210] based upon the principle of mutual agreement before witnesses. Agreements or contracts could not in any case be made binding for a longer period than twelve months, after the expiration of which period they must be renewed. This provision seemed to have been easily enforced, and it became the most satisfactory and beneficial feature of the whole apprenticeship system. Its operation was subject to some difficulties and disagreements, but it placed a certain responsibility upon the negro, to which he responded, and it gave him a recognition as a person, which encouraged him to rise to meet that responsibility and to cope with his circumstances. It allowed the enterprising to gain time to utilize for their own purposes; it made it possible for many to bargain for their own freedom, and to gain it. After the year 1835 record books were kept on each plantation in which were entered records of all agreements entered into by apprentices on that plantation. These were entered by a special justice. In case of disagreement as to the terms of a contract, it was ascertained whether the apprentice fully understood the terms of the agreement before the case was decided.[211]

In the absence of task-work agreements, the employers were allowed to employ their apprentices forty-five hours each week, all work to be done between sunrise and sunset on Mondays to Fridays inclusive. Saturdays and Sundays were left at the disposal of the apprentices.[212] Contracts voluntarily entered into between employers and apprentices, and with the consent of a justice, were enforcible in the courts of the Colony under penalties on the violators of them.[213]

Marital and Family Rights.—Almost the same rights as to marriage and family prevailed here as in the latter part of the history of slavery. Some of the restrictions of that time were removed. Marriages could now be celebrated

[209] See reports of the Stipendiary Justices Winder and Hill, from the several Out-islands, in Sess. P., 1836, 49, pp. 543-545. Colebrooke's Ds. of Jan. 9, 1836.

[210] Sess. P., 1839, 37, 487 (pp. 12 and 14). Cockburn to Glenelg, Nos. 92 and 99.

[211] 5 William IV, 8 (4).

[212] 4 William IV, 21 (17-19). Also Sess. P., 1839, 37, p. 487 (4), remarks of Attorney-General Anderson on the Imperial Act, 1 Vic., 19, amending that of 3 and 4 William IV, 73.

[213] 4 William IV, 21.

by the clergy of all denominations, or by any authority competent to celebrate marriages between other free persons.[214] Other rights and privileges, attendant on the marriage bond, were now in the possession of the negroes as with other freemen. The separation of husband and wife, or of parents and children, was forbidden.[215]

Corporal punishment.—Parliament no longer hesitated to declare itself as to the flogging of women. The imperial abolition act plainly forbade such punishments for the future. The colonists acceded to this provision.[216] Punishments of male apprentices were also restricted. Masters applied the lash to them only with the consent of a special justice. Other modes of punishment were recommended. Corporal punishment fell into disfavor, was less frequently employed and finally before the end of the apprenticeship period it was dispensed with altogether.[217]

Manumission.—Every facility was given to apprentices to become freemen. Although the apprenticeship was to continue for the period of four years, means were provided by which the apprentices could become free before the end of that period, and in some cases even without the consent of their employers.[218] An employer could set his apprentice free by an instrument in writing attested before one or more justices of the peace, thus absolving the apprentice from obligation for service during the unexpired term of his apprenticeship.[219] In case of joint ownership of an apprentice, either of the parties entitled to his services was competent to make a valid and complete release of the laborer from obligation to the joint owners.[220] A negro illegally held as an apprentice was authorized to sue for his freedom. On presentation in court of the proof of the right to his freedom he could recover nominal damages, in addition to wages for the time during which he was illegally held to service.[221]

[214] 5 William IV, 8 (6). See also 4 William IV, 21.

[215] 5 William IV, 8 (11). The auxiliary abolition act allowed the separation of children over fourteen years of age from their parents. This was repugnant to the act of Parliament (sec. 9), and the Secretary of State called attention to the fact in his comments on the auxiliary act. Sess. P., 1835, 50 (part 2), 258. The Assembly later adopted the improvement suggested by this despatch.

[216] See 3 and 4 William IV, 73 (17), of Imp. Stats., and 4 William IV, 21, Col. Stats.

[217] Sess. P., 1836, 49, p. 532, Colebrooke's report on the apprenticeship system, in his despatch of Oct. 8, 1835. Also Colebrooke to Glenelg, No. 85.

[218] Imp. Stats., 3 and 4 William IV, 73 (8).

[219] 4 William IV, 21.

[220] *Loc. cit.*, sec. 8.

[221] 4 William IV, 21.

Other Rights.—Apprentices were allowed certain other rights and privileges of British subjects which had been denied to them as slaves. The same spirit on the part of the white inhabitants, that had been shown elsewhere, was shown here. Only after attention had been called to the rigidity of these restrictions,[223] were they repealed by the Assembly. The auxiliary abolition act of the Bahamas disqualified apprentices for jury service, forbade them to serve as arbitrators, or on appraisements, or to hold elective or other positions in His Majesty's service, whereas the home government had only intended in its restrictions to give the apprentices "no military or political authority."[224] These restrictions were later removed in the Bahamas. Military service or service in any civil capacity, to which the governor might call the negroes, was enjoined upon them just as upon other British subjects, provided they did not interfere with the performance of services due to the masters.[225]

Rights of Employer.

The employers still retained many rights over those who had been their slaves. In these relations there was an approach to the English system of apprenticeship in which a young person was bound out for the purpose of learning a trade. The additional restrictions, here due to West Indian race prejudice, varied the adaptation of the system to the Colony. Obligations were mutual between master and apprentice. The master taught the apprentice a trade, which was to the interest of the former as well as of the latter, in return for the use of his services for the whole period. We shall now take up the relations of employer and laborer from the standpoint of the master.

Property in the services of the apprentice.—The services of the laborer were the property of the master and under certain limitations could be subjected to any disposition which the employer could make of other property. The employer was entitled to the services of the apprentice for forty-five hours each week. This rule prevailed in the Bahamas throughout the whole apprenticeship period.[226] There were restrictions on the employment of certain of the apprentices during this time. Praedials attached could be removed from place to place only with the consent of two or more special justices, even if it were for the purpose of working the lands of the same employer.[227] This kind

[223] Sess. P., 1835, 50 (part 2), p. 258.
[224] Sess. P., *loc. cit.* Also 4 William IV, 21 (secs. 14, 23 and 51).
[225] 4 William IV, 8 (12).
[226] 5 William IV, 8 (8).
[227] *Loc. cit.*, sec. 10.

of removal could not take place when it involved the separation of a laborer from his wife, or of a parent from his children.[317] The imperial abolition act forbade the removal of apprentices from the Colony without the consent of two or more special justices.[318] The services of the apprentice, as property, were alienable by sale, gift, deed, or in any other manner of conveyance, but in every such case the transfer had to be made under the attestation of one or more witnesses. The laborer's services were not transferable at public auction except under judicial process, or in case of a judgment for debt against the person entitled to them.[319] In any such case the separation of families was forbidden, or of those reputed to be in such relations to each other.[320] A husband became entitled to the services of apprentices belonging to the wife previous to marriage.[321]

Right to return runaways.—Runaways and deserting apprentices were to be returned again to service. An apprentice being absent from service for seven and a half hours in any one week could be declared a deserter. He thus became liable to a penalty of hard labor for one week; for an absence of two days the penalty was two weeks of confinement, and fifteen lashes, and for an absence of a week, one month of hard labor and thirty lashes.[322] But in lieu of or in addition to these punishments, vagabonds and runaways, and others unfaithful to their obligations, except those working under pecuniary contracts, were punishable by additions to time. These additions were limited to fifteen hours in any one week. Deserters absenting themselves for any considerable length of time could be punished and the employers remunerated by additions to their term of service equivalent to the time during which they were absent.[323] These additions to time could not in any case be extended so that serving out the penalty would continue beyond August 1, 1841, one year after the expiration of the term of the praedials.[324] On the whole there were not many offenses involving additions to time as the penalty.[325]

[317] *Loc. cit.*
[318] Imp. Stats., 3 and 4 William IV, 73 (9).
[319] 5 William IV, 8 (11), and 4 William IV, 21.
[320] 4 William IV, 21.
[321] *Loc. cit.*
[322] 4 William IV, 21.
[323] *Loc. cit.*
[324] Imp. Stats., 3 and 4 William IV, 73 (20).
[325] In one case a penalty of ten months' extension of the term was added for an absence from service for that length of time. The Secretary of State for the Colonies was much concerned about it, but withdrew the objection to the extreme penalty on being informed of the facts of the case. Sess. P., 1836, 49, p. 537, Ds., Colebrooke to Glenelg and reply.

Enforcement of obedience.—The employer had the same right to require obedience to his commands that he had had under the old slave system, and in case of resistance to apply to a special justice to supervise the infliction of the penalties. There was for a time a disposition on the part of the masters to regard the apprentices in the same light as they had their late slaves, as if they would have recognized no changes in the relations between the two classes. These self-deluded individuals were soon undeceived as to the ability of a new judiciary to deal with such matters, and to effect a real as well as a nominal change in relations. The Bahama auxiliary abolition act authorized masters to punish boys under fourteen and girls under twelve years of age as parents and guardians were accustomed to punish children in the mother country.[336] Evasive provision—Secretary Rice asked for its repeal, which was accordingly granted in 1835.[337] Indolence, drunkenness, fighting, and other such conduct, were punishable on complaint by the employer and conviction before a special justice of the peace.[338]

Prohibitions on apprentices.—Apprentices were not allowed to leave the plantations on which they were employed during working hours without the consent of the masters.[339] Another prohibition on apprentices, which was also disallowed by the King, was to the effect of forbidding the production by them of things that were produced upon the plantations where they were employed.[340] It was also unlawful for an apprentice to bear arms without the consent of his master.[341]

Children.—Persons entitled to the service of the mother of a child could not be compelled to accept the latter as an apprentice in virtue of its relation to its mother. Such children not apprenticed were supported by their parents if not otherwise provided for.[342] Children under six years of age, born after August 1, 1834, if not adequately provided for, could be bound out by special justices to the persons in each case entitled to the services of their mothers for

[336] 4 William IV, 21 (48).

[337] 5 William IV, 8 (13).

[338] 4 William IV, 21.

[339] *Loc. cit.* Secretary Rice objected to this and the King disallowed it, but it was renewed by the Colonial Statute, 5 William IV, 8 (8).

[340] Sess. P., 1835, 50 (part 2), 516. Copy of the Order-in-council dating July 31, 1835, which disallowed the above mentioned section of the Colonial act, 4 William IV, 21.

[341] *Loc. cit.* This prohibition included swords, fire-arms and gun-powder, any of which any master was authorized to seize, if found unaccountably in the possession of an apprentice.

[342] 4 William IV, 21.

terms of service extending to the twenty-first year of age.[843] In such apprenticeship time and opportunities were to be given for proper education and religious instruction.[844]

The Special Magistracy.

The home government determined not to make the application of the regulations in the new system dependent upon the Colony. There had already been too much experience of the reluctance of the West Indian Englishman to grant expressly acknowledged rights to the negro to trust him with the application of the new regulations. There was nothing to warrant a continued faith in the disposition of the late slaveholder to treat his apprentice with impartiality under a new system of regulations which granted extended liberties to the latter. A special magistracy was erected for the application of the regulations of the new system. The magistrates were appointees of and were commissioned by the Crown. There were twenty of these magistrates for the whole of the West Indies, three of whom were at first allotted to the Bahamas.[845] The colonial legislatures were allowed to authorize the appointment of any number of special justices, to be specially commissioned by the governors and paid by the colonies.[846] The Bahamas employed fourteen of these justices during the first year of the apprenticeship system.[847]

All these magistrates bore special commissions under which they were authorized to deal solely with the masters and servants as freemen, in the new

[843] All such apprentices were freed by the cancellation of the indentures of all Africans in the Colony after the release of the apprentices in 1838. See next section.

[844] Imp. Stats., 3 and 4 William IV, 73 (13).

[845] Imp. Stats., 3 and 4 William IV, 73 (14-15), and Balfour to Stanley, No. 108.

[846] Imp. Stats., *loc. cit.*, sec. 14.

[847] 4 William IV, 42. The legislature not being in session at a convenient time, Lieutenant-Governor Balfour called a meeting of the Council and made an arrangement by which seventeen persons were asked to act in the capacity of special justices without further promise of remuneration than that the question of paying them for their services would be laid before the legislature at its next session. It was not desirable to be forced to the adoption of such an alternative, but owing to the conditions existing in the Bahamas, it was not possible to serve the whole Colony adequately with only three justices. To relieve the embarrassment it was necessary to accept the lesser of the two evils and to set up an unsatisfactory magistracy rather than to do without. Something had to be done to institute the new system in all parts of the Colony, and to prevent lawlessness. Otherwise the masters might have been driven to resort to a complete emancipation of their apprentices. Balfour to Stanley, No. 108.

relations into which they had entered. Over these they were given exclusive jurisdiction.[348] The individuals bearing these commissions were not, however, forbidden to bear commissions as general justices of the peace,[349] in which capacity the governors availed of the services of some of them as long as they were in the Colony.[350] The duties of these justices were narrowed down to the regulations of the relations between the employers and employees, and were kept distinct from the duties of general justices of the peace. In some petty offenses there was concurrent jurisdiction of special and general justices, but only a special justice could take cognizance of offenses of employer against employee, and vice versa.[351] Outside of this the general justices could act, under ordinary circumstances, in suppressing disorder and misconduct that had a tendency to breach of the peace.[352]

For purposes of administration the Colony was divided into seven districts.[353] In each of these districts one or more special justices was to reside and make periodical visits to all the settlements within its limits.[354] Lieutenant-Governor Balfour located the three English justices, who came at first, in places from which they could visit all parts of the Colony. One was placed at New Providence, another at Eleuthera and a third at the Turks Islands.[355] The local justices, as distinguished from the English justices, were generally resident proprietors or overseers in the islands over which they had jurisdiction.[356] This arrangement was destined to continue in full force only until March of 1835, the time of the coming of William Colebrooke, the successor of Balfour in the Bahama government. Under this first arrangement nothing of importance was accomplished in adapting the apprenticeship system to the requirements of the Bahama Islands. The reasons for this and the reforms which were finally introduced will be discussed in the following section.

[348] Imp. Stats., 3 and 4 William IV, 73 (18-19).

[349] *Loc. cit.*, sec. 11.

[350] See *e. g.*, Sess. P., 1836, 49, p. 512, instructions of the Secretary of State.

[351] *Loc. cit.*, p. 519, also p. 517, circular instructions to the magistrates.

[352] *Loc. cit.*

[353] 4 William IV, 42. This statute gives the districting of the Colony as follows: 1. Turks and Caicos Islands, Inagua and Mayaguana; 2. Crooked and Acklin Islands and Cays; 3. Rum Cay, Watlings Island and San Salvador; 4. Eleuthera and Harbor Island and Cays; 5. Exuma and Cays, Long Island, Ragged Island and Cays; 6. Abaco, Grand Bahama and Cays; 7. New Providence, Andros, the Berry Islands and Cays.

[354] *Loc. cit.*

[355] Colebrooke to Aberdeen, No. 9.

[356] *Loc. cit.*

Reforms in the Magistracy.

This system as instituted with the local justices did not continue long, but it had done harm to the cause of reform. Colonel Colebrooke came in March, 1835, and in his first despatch on the magisterial system he pointed out defects which were demanding remedy. From reports of the magistrates he found out that the expense of the existing system was too great, that many settlements on the Out-islands were not being visited often enough, and that the salaries of the magistrates were not large enough to maintain those officials as they should have been.[357] A little later he discovered also that the local justices were altogether incompetent to perform the duties required of them.[358] Wherever the English justices had gone in the Out-islands the effect of their visitations was altogether salutary. Disorders were suppressed, quiet was restored, and the spirit of insubordination that had prevailed in some places was calmed.[359] It was, however, physically impossible for them to make the tour of all the Out-islands in any reasonable period of time, and the exposure to heat and rain was so great as to incapacitate them, in a large measure, for their work. The local justices had, on the other hand, generally failed to keep the peace, or even to gain the confidence of either negroes or whites;[360] they had too often neglected their duties in their districts and had punished offenses severely and indiscriminately with the result that harmonious relations between the classes were not promoted or encouraged.[361] The calls from the Out-islands for the stipendiary justices continued to increase, and it was imperative that some one should be sent to them to adjust matters between the employers and their men.[362]

Lieutenant-Governor Colebrooke determined upon a reformation of the whole magisterial system. He applied to the home government to send out as many more of the special justices as possible, urging that any number of them, however small, would aid in the restoration of order. The House of Assembly concurred with him in the necessity of securing, by some means, a more efficient service from the magistracy, and on the recommendation of the executive voted to change the whole plan to that of a system of circuits. The cost of this promised to be less than that of the system then in operation. It also

[357] Colebrooke to Aberdeen, No. 9.
[358] *Loc. cit.*, No. 60.
[359] H. V., 1834-35, p. 184; also Colebrooke to Aberdeen, No. 53.
[360] Colebrooke to Aberdeen, No. 22.
[361] *Loc. cit.*, No. 60, Aug., 1835.
[362] H. V., 1834-35, p. 184.

gave such promise of improved service that a termination of the prevailing irregularities seemed almost in view. The change was accomplished within three months after the arrival at Nassau of Colonel Colebrooke.[363] The Assembly authorized the Lieutenant-Governor with the consent of his Council to divert the funds, that had been applied to the local magistracies, to the support of the circuits under the new system.[364] The salaries of the local justices were discontinued in April, 1835.[365] In June, 1835, the Secretary of State for the Colonies sent out an instruction, to the effect that the commissions of all magistrates who were pecuniarily interested in apprenticed labor should be revoked, and that the number of those who had been habitually resident in the colonial society should be reduced as low as was consistent with the due execution of the law, stating that it was inconsistent with the intentions of Parliament that the powers of a special justice should long continue to be exercised by any such person.[366] Before December, 1835, eighteen of these justices had resigned, or had been removed, fifteen of whom seemed to have been removed under the order of the circular referred to.[367] The Lieutenant-Governor ordered the ordinary justices of the peace to make certain visits in their districts and to quell disorders, though without power to enforce the abolition laws.[368] The Secretary of State was unable in the fall of 1835 to obtain from Parliament a grant for an additional number of magistrates for the Bahamas, but he authorized the Marquis of Sligo at Jamaica to transfer one special justice from that Colony to the Bahamas as soon as the service there would permit.[369] In October, 1835, he did secure from Parliament provision whereby he was able to send to the Bahamas two more special justices. These were rendered necessary, as we have seen, by the revocation of the commissions of the

[363] Colebrooke to Aberdeen, No. 22. All the settlements were not in such a state of disorder as has been stated of some of them. At Eleuthera the magistrates' constables had succeeded in keeping a certain measure of good order, *loc. cit.* Two magistrates and a detachment of troops were sent to Exuma where the insubordinate laborers of Lord Rolle had refused to work, H. V., 1834-35, 184. Both of these places had grown quiet by the latter part of August, 1835, Colebrooke to Glenelg, No. 86.

[364] Colebrooke to Glenelg, No. 36.

[365] Sess. P., 1836, 49, p. 514. Circular of Col. Secretary Nesbitt to the Local Magistrates.

[366] Circular instruction to the governors of the colonies, dating June 15, 1835. See H. V., 1835-6, p. 29.

[367] Sess. P., 1836, 49, p. 539, encl. 1, in Ds., No. 499.

[368] Colebrooke to Glenelg, No. 94.

[369] Sess. P., 1836, 49, pp. 506-7, Ds. of May, 1835.

local justices.[370] Thus was the magisterial establishment cleared of the dead weight of incompetent justices and placed on the basis on which it remained throughout the remainder of the apprenticeship period. From this time forward, all the reports on its operations were almost without exception favorable to its efficiency and its competency to deal with the problem of apprentice labor in this Colony. The difficulty from the beginning had been that on account of the lack of training in the performance of judicial functions, and from identification with local interests, the local magistrates were incapable of performing these peculiar magisterial duties. They were never able to command the respect and the confidence of the employers or the apprentices. Upon these officers depended in great part the success of the system by which the great body of ex-slaves were being educated for the state of freedom. To their disinterestedness, their impartiality, their devotion to duty, and their general efficiency was due the harmonizing of the jarring elements, the preservation of peace, and the prevention of injustice, discontent, disorder, and lawlessness throughout the Colony.

Duties of Special Magistrates.

It was the duty of these magistrates to adjust the disturbed colonial society to the new relations into which its people were entering, and to assist the classes in every way to live up to the regulations imposed on them. The white inhabitant, accustomed to a regime in which implicit obedience to his command was the rule, was unwilling to give cognizance to the changed relations in which the late slave was to have partial command of himself; on the other hand the apprentice was fearful for a time that this change to apprenticeship was not what the King had intended to grant him, and that the local government had leagued itself with the late slave-masters to deprive him of the boon of immediate and complete freedom. Everywhere the magistrates visited, the first and most important duty was to explain the nature of the new relations and to set matters to rights between the masters and the apprentices.[371] There were in many parts absurd conceptions of what the new relations amounted to. This fact was due in no small degree to the prevailing irregularities.[372] The local justices added to, not lessened, the confusion.[373] The officials strove to impress on all classes that the changed conditions were merely a preparation

[370] Sess. P., 1836, 49, p. 516, Ds. of Lord Glenelg.
[371] Sess. P., 1836, 49, p. 532, circular instructions to the special justices.
[372] *Loc. cit.*
[373] Colebrooke to Aberdeen, No. 60.

for further changes in society, that they ought to strictly obey the reciprocal obligations imposed on them, and that their coöperation was necessary to secure the most benefit to themselves,[374] and further "to impress on all parties that the term of apprenticeship was one of probation in which they were to be gradually prepared for the new relations in which they would ultimately stand to each other, and that the best preparation for the change would be a strict observance of the law and the obligations it had imposed."[375] They heard complaints of employers and employees, settled disputes and adjusted differences, the neglect of which might have led to more serious disturbances.[376] They had authority to judge of the point at issue in dispute, between employer and employee, in case of the failure of the parties to agree.[377] These things they did with results that were most gratifying to those interested in the success of the change in progress.[378] They quieted the misapprehensions of all parties, restored order, and won the confidence of the people.[379] To keep the peace and quell incipient disorders, jails and places of confinement had to be erected. As hard labor was much employed as a form of punishment, work-houses were to be supplied. The special justices coöperated with the rate payers in providing funds to pay the cost of materials and of work on these buildings. They appointed constables in every district, who made monthly circuits, received complaints and kept journals of them. These constables were empowered, in extreme cases, to send offenders to Nassau during the intervals between the visits of the special magistrates. Ordinarily these constables were called on to act only when the justices came. They acted for the most part as advisers to apprentices.[380] The magistrates made sketches and surveys of lands in the Out-islands, took account of any features of soil, etc., that might conduce to the formation of settlements. They were members of the school commission and visitors of the public schools. They aided the out-lying communities in erecting school houses and in providing means of education.[381]

Lieutenant-Governor Colebrooke rightly judged that the special justices on their tours would collect much information as to the actual condition of things in the Colony, by which information he could profit in making more

[374] Sess. P., 1836, 49, p. 513, instructions to magistrates.
[375] H. V., 1834-35, p. 190.
[376] Colebrooke to Glenelg, No. 122, Dec., 1833.
[377] Sess. P., 1836, 49, p. 532.
[378] H. V., 1834-35, p. 184 ff.
[379] Colebrooke to Aberdeen, No. 53.
[380] Sess. P., 1836, 49, pp. 512-14.
[381] *Loc. cit.*, pp. 512-13, and 543-45.

efficient the magisterial system, and by working through it the government would be enabled to act with more confidence, concerting measures for the general improvement.[383] Much information was thus collected and reported by these officers. Another duty that became increasingly important with the passing of time was that of the supervision of voluntary agreements between employers and apprentices. In all cases in which the parties could agree on specific terms such agreements were encouraged. In this respect especially did the special justices act as a safeguard to the interests of the apprentices. It was found that voluntary engagements for task work, or otherwise, called forth in the best manner the dormant energies of the negroes and encouraged industrious habits in them. All such agreements had to be voluntary on the part of the apprentices in order to be binding. The special justices were enjoined to see that the terms of all agreements were not unreasonable and that they were fully understood by the negroes, dealing with all parties as freemen.[384] In all things they were urged to use their moral influence to gain the confidence of the people and to promote peaceful interests.[384] They had the power in this, as in other things, to impose penalties on both employers and employees, in order to enforce compliance with the regulations in the abolition laws.

In addition to these regular duties there arose from time to time special duties which it was convenient to have these officers perform. One of these was that of their assistance in the summer of 1835 in the reclassification of the apprentices. This was necessitated by the habit prevailing in many parts of employing praedial apprentices as if they were non-praedials. As the non-praedials were to be freed on the first of August, 1838, a confusion might have resulted as to who were, and who were not, non-praedials. It was necessary to keep the classes of apprentices carefully distinguished. Many of the praedials as well as non-praedials were eager to redeem the unexpired portion of their apprenticeship.[385]

Operations of Apprenticeship System.

As far as this Colony was concerned the British Ministry was not mistaken as to the probable results of the establishment of the special magistracy. The English justices accepted the responsibility that awaited them and established order. They secured such mutual good understanding that disquietude and

[383] Colebrooke to Glenelg, No. 69.
[384] Sess. P., 1836, 49, pp. 534-5.
[384] *Loc. cit.*, p. 517.
[385] Colebrooke to Aberdeen, No. 36.

discontent became exceptional. In fact nearly every report that came in after the first circuits were made gave the intelligence that all classes evinced a disposition to be peaceable.[386]

The able manner in which the English justices disposed of complaints and settled difficulties gave the people renewed confidence in them. Contentment with existing relations and a desire to make the best of them were to be seen on every hand. This aided the magistrates so much that less difficulty was experienced in disposing of complaints with each successive visit. This tended to lessen the necessity of the frequency in the visitation of the magistrates.[387] The sympathetic coöperation of both employers and employees seemed to have been enlisted in keeping the peace and in promoting harmony—convincing evidence of the impartiality of the conduct of the officials.[388] At Exuma before August, 1835, some of the employers were little disposed to promote the interests of apprentices, but expected the same requirements from them as when they were slaves, and did not acknowledge the existence of the new relations.[389] Another report from the same island in January, 1836, noted great improvements, both employers and laborers being much better satisfied.[390] The employers were generally found to be of liberal disposition. This, together with the confidence of the apprentices that the magistrates would safeguard their interests, aided in securing punctuality in the performance of engagements.[391] Masters were mindful of the position in which the laborers were placed. The latter responded appreciatively to the kindly treatment accorded to them. Both came to realize that their individual interests depended on mutual good feeling.[392] All this became the subject of remark by the Executive on every occasion.

Perhaps the most beneficial feature of the apprenticeship system was that of the voluntary agreements between employers and apprentices. After the

[386] See following references for these favorable reports: Sess. P., 1836, 49, pp. 524-31 (Aug., 1835); *loc. cit.*, pp. 543-5 (Jan., 1836), report of the circuit in the latter part of 1835; *loc. cit.*, 1839, 37, p. 487 (12), (Aug., 1838); see also Colebrooke to Glenelg, No. 122 (Dec., 1835); No. 94 (Oct., 1835); No. 50 (May, 1836); Cockburn to Glenelg, No. 3 (Sept., 1837); and No. 56 (Feb. 1838); also H. V., 1835-6, p. 2 (Dec., 1834).

[387] Colebrooke to Glenelg, No. 86.

[388] Colebrooke to Glenelg, No. 122.

[389] Sess. P., 1836, 49, p. 522, report of special justices.

[390] *Loc. cit.*, 543.

[391] *Loc. cit.*, p. 532.

[392] H. V., 1835-6, pp. 73-79. Message of the Lieutenant-Governor transmitting reports of the special justices. Sess. P., 1836, 49, p. 545.

first experiment with them had proved their usefulness, they came rapidly into favor and increased in popularity up to the close of the apprenticeship period. They secured to the master a more punctual performance of the laborer's obligation to him, and on the other hand appealed to the best there was in the negro to bear responsibilities voluntarily assumed. Both parties preferred them. To them was due much of the good feeling that existed between the classes after the summer of 1835.[393] Praedials as well as non-praedials were employed in this way.[394] Complaints to the magistrates were less frequent where agreements were most common.[395] The use of them spread rapidly to all parts of the Colony, as soon as the intelligence of their beneficent results was carried to the Out-islands.[396]

In his instructions to the magistrates in September, 1825, Lieutenant-Governor Colebrooke urged as a leading object of the circuits that they should encourage voluntary agreements with specific terms. They were not to allow agreements whose terms were not equitable. It seemed desirable to reserve two days in each week to the laborer for the purpose of obtaining food and clothing for himself.[397] At New Providence voluntary contracts were entered into, during the autumn of 1835; at Eleuthera at the same time nearly all the proprietors had formed agreements to furnish time and land to the apprentices in lieu of food and clothing.[398] By January of the following year agreements were being successfully employed at Ragged Island, and the laborers there were being paid annual wages for work on the salt ponds on Saturdays; Rum Cay was also employing them.[399] Where this plan was not followed the complaints from all parties were multiplied and the visits of the magistrates were attended with less benefit to the community.[400] Prosperity attended them, and especially did they enjoy peace, a blessing which the Bahamas had hardly known for twenty years. The difficulty of disposing of their produce alone hampered their prosperity.[401]

Another form of engagement was that by which the apprentice bargained

[393] Colebrooke to Glenelg, Nos. 94 and 95.
[394] Colebrooke to Aberdeen, No. 36.
[395] Colebrooke to Glenelg, No. 95.
[396] Sess. P., 1836, 49, pp. 530-31, report of S. Js. Winder and Munro.
[397] *Loc. cit.*, pp. 534-5, instructions to the special justices.
[398] *Loc. cit.*, pp. 524-31, enclosure No. 3.
[399] *Loc. cit.*, pp. 543-5.
[400] Colebrooke to Glenelg, No. 85, Oct., 1835.
[401] H. V., 1835-6, pp. 73-79. Sess. P., 1836, 49, p. 545.

to absolve his obligation to his master for a stipulated consideration.[402] A number of others were released for no pecuniary consideration.

Just before the close of the apprenticeship period, Parliament amended its abolition act with a statute regulating the labor of apprentices.[403] It enjoined certain duties on the employers, gave the governors of colonies additional powers of control of apprentices, and gave the latter a number of additional privileges and exemptions. It was of no considerable importance in this Colony, having been declared in force on May 29, 1838, only two months before the laborers, praedials as well as non-praedials, were finally set free. It might have borne some fruit in vexing the masters in this Colony. As it was, perhaps its principal result was in helping to induce the local Assembly to enact a law releasing the praedials from the unexpired portion of their term of apprenticeship.

Complaints.

The complaints made by the employers and apprentices were mostly of a trivial nature. They were much more frequent at the beginning than after the magistrates had completed the first visitations to all parts of the Colony. They became less and less frequent with each successive tour.[404] As has been stated the formation of voluntary engagements tended greatly to lessen the number of complaints,[405] and the arbitration of difficulties was successful and satisfactory to all.[406]

Punishments.

The special magistrates had the power to require obedience to engagements, and good conduct on the part of all by the infliction of penalties on offenders. The mind naturally reverts to the lash when penalties are mentioned in this connection. We have seen that Parliament prohibited its use for women in the abolition act. It went out of use also for male servants. Lieutenant-Governor Colebrooke soon after his arrival ordered a gradual discontinuance of its use as a stimulus to labor, and the substitution for it of other modes

[402] The total number of instances of this up to Sept., 1835, was 81; the total amount paid for these was £1215 9 s. or a little more than £15 each. Those voluntarily released without compensation during the same period numbered 688; 293 being males and 395 females.

[403] Imp. Stats., 1 Vic., 19.

[404] Sess. P., 1836, 49, p. 532. Also pp. 543-5, on report of circuit, especially that referring to Cat Island and Rum Cay.

[405] Colebrooke to Glenelg, No. 95.

[406] Sess. P., 1836, 49, pp. 524-31, No. 3.

of punishment.[407] The substitutes that were most satisfactory were hard labor in the work house and extensions of time. Fines were employed to some extent and were redeemable by hard labor.[408] The efficacy of hard labor as a means of punishment was early demonstrated by its employment in the work house at Nassau. Colebrooke soon recommended it in other places, as a means of building the much needed gaols.[409] Stocks were used in some places with good effect. The usual labor for women was grinding corn or picking cotton.[410] Towards the close of the apprenticeship period the reports showed marked improvement, by the great reduction in the number of penalties imposed. The magistrates had taken things in hand, and the results of their labors are shown in the reports they made for the district of New Providence, during the last month of the application of the regulations of apprenticeship, viz.: July, 1838, Special Justice Winder gave the report that there was not one case requiring the infliction of a penalty on either employer or apprentice,[411] a report that was unprecedented for that populous district.

Colonel Colebrooke was careful to make known in all parts of the Colony what was occurring in the more peaceful communities. For a time the ignorance as to this, prevailing even at the capital, worked unfavorably to improvement. The head of the government was on the alert on every occasion to make known the favorable condition of affairs. The Nassau people were for a time not disposed to believe that such success, as was reported, was being met with in the Out-islands. The reports were almost uniformly favorable. The dissemination of this intelligence excited the people to emulate the example of

[407] Colebrooke to Glenelg, No. 95.

[408] Sess. P., 1836, 49, p. 531, return for the period July 31, 1834, to October 1, 1835. Total number of apprentices, 10,400; punishments by authority of S. Js., 768; employers' fines, amount £124 8 s. 6 d.; male apprentices whipped, 169; female punishments, 286. Two hundred and seventy-two of these punishments were inflicted at New Providence, and 246 at the Turks Island. *Loc. cit.*, encl., No. 3. The greater number of punishments at New Providence and the Turks Islands was explained by the fact that fishermen and others resorted to these places from other parts, and many offenders were brought to them to be punished. In some islands the offices were open every day to settle disputes, and punishments were fewer in them on that account.

[409] Sess. P., 1836, 49, p. 532, and pp. 543-5.

[410] The most extreme penalty reported was that of a male apprentice named Sam, bound to one Durham, at the Bluff Settlement on Eleuthera. He ran away. A magistrate and three constables advised him to return to service. He refused to return, set the law at defiance, worked on the King's land, and lived with another runaway named Tulip. He was absent for ten months. He admitted all charges and begged for mercy. His penalty was one month's hard labor, thirty lashes and ten months' extension of his term. Sess. P., 1836, 49, p. 537.

[411] Sess. P., 1839, 37, p. 487 (12).

those who were peaceably disposed, in seconding the measures of the government. The effect of it in all parts was salutary.[413]

Reform in the General Court.

At the same time that the reform was taking place in the special magistracy, there was seen to be a need of reform in the General Court. The slave court of the old regime had passed out of existence. The business of the whole Colony of freemen now fell upon the General Court. Its business was increased to such an extent that in its then present condition it was unable to meet the needs of the Colony.[413] The Assembly authorized it to hold four sessions in the year but that had not sufficed to care for all the business that came to it.[414] Complaints also came up from Turks Islands, a disaffected community 500 miles away from the capital, of the inconvenience to their people of the service rendered by the General Court. These people had to bring all cases that were not tried in the Justice's court to Nassau for trial. Communication with the capital was always infrequent, always attended with difficulties and beset with dangers from ocean currents and jutting rocks. The expense of carrying a case to Nassau was too great for the people to bear. For ordinary cases of robbery or larceny it was unreasonable.[415] A journey from New York to Liverpool and back was attended with no less hardship and inconvenience than one from Turks Islands to Nassau and return.

As in the case of the special magistracy, Lieutenant-Governor Colebrooke conceived the idea of establishing circuits for the justices of this court. Assizes would thus be held in all the larger Out-islands. With the concurrence of the Secretary of State he recommended it to the legislature. His plan carried,[416] and a little later the Assembly made provision for the traveling expenses of the justices.[417] According to the arrangement, instituted circuits were made twice annually to all the more important islands. These circuits were as follows: 1, the western, including the Berry Islands, the Biminis, Andros, Abaco, Grand Bahama, and Harbor Island; 2, the middle, including

[413] Colebrooke to Glenelg, No. 94.
[413] Colebrooke to Aberdeen, Nos. 32 and 35.
[414] Colebrooke to Glenelg, No. 112 (1885).
[415] See Colebrooke to Glenelg, No. 17 (1836).
[416] See 5 William IV, 7.
[417] Cockburn to Glenelg, No. 45.

Eleuthera, Long Island, Rum Cay, Exuma, San Salvador, Watlings and Ragged Island; 3, the eastern, including the Turks and Caicos Islands and Inagua."[418]

Captives from Slave Ships.

A class of persons that caused much anxiety to Lieutenant-Governor Colebrooke was that of the captives from slave-trading vessels. A number of these vessels continued to be brought to the port of Nassau by the wreckers, and by vessels of the royal navy which constantly patrolled the adjacent waters in search of slavers. Colebrooke was zealous to make a drastic crusade against this commerce,[419] but was never able to accomplish more than to add the information that came to his hand from the small Colony in which he was located. He had to be content in his small sphere here with dealing with those captives who were actually brought into the Bahamas. His predecessor had recommended that they should be sent to Trinidad where there was a demand for them as laborers, and where they would still have the advantage of British regulations. There was almost no regular employment for any considerable number of them in the Bahamas except in the raking of salt. In this hard labor there was little opportunity for self-improvement, or for learning the English tongue, which was considered very important. The cruelties practiced by the overseers of the salt-rakers were such that it did not seem desirable to consign these poor people to that employment.[420] In June and September, 1834, two large cargoes of captives were brought into port. Fortunately there was a demand for the services of these Africans among the people of New Providence Island. They were apprenticed for a term of seven years. Their employers were bound to support them, to teach them to work, and to provide adequate instruction for them.[421] It was on the coming of these vessels that Balfour made the recom-

[418] Colebrooke to Glenelg, No. 110. Chief Justice Munnings had grown old and had often within the last few years been a disturber in the Privy Council of the Colony. The failure to secure a promotion for him outside of the Bahamas made him the more discontented. But during the administration of Colebrooke, he departed with his family for a visit to England. The vessel in which he sailed was lost at sea. It was never heard from after its departure from one of the eastern islands of the Bahamas. Assistant Justice John C. Lees became his successor. Colebrooke attempted to have him removed to some other colony. But after a report by him on a circuit to the Out-islands, he recommended him for the Chief Justiceship of the Bahamas, to which he succeeded on the death of Chief Justice Munnings. Colebrooke to Aberdeen, Nos. 32 and 99 (1835).

[419] See his Ds., No. 48, to Aberdeen.

[420] Balfour to Rice, No. 5.

[421] *Loc. cit.*

mendation to the home government to send any others that came to the Bahamas to the colony of Trinidad.

On the arrival of William Colebrooke in the following year (1835), the policy of the local government and its recommendations as to the captives was entirely changed. The new Executive saw throughout the Bahamas large tracts of unoccupied lands (he knew not how unproductive they were) and imagined that they would be suitable for settlements of captive Africans. He attended an inspection of a settlement of these captives soon after his arrival in the Colony,[422] and found out that they were healthy and well provided for. He determined at once to secure as many of these Africans as possible, to have them sent hither from other colonies, if necessary, and to settle them on this vacant Crown property where, he hastily concluded, they could soon provide for themselves after a kindly paternal assistance from the government.[423] Thus would he build up a new class of subjects of his sovereign. He adhered to his hasty conclusions in the face of the decline, under his very eyes, of the settlements at Adelaide and Carmichael, on New Providence Island. He attributed the failure of these two settlements, to the incapacity of the superintendents.[424] Here William Colebrooke would have erected a refuge for unfortunate Africans captured by slave hunters, all unaware that starvation threatened those who attempted to live on these barren lands. He wished also to have here an asylum for decrepit and discharged soldiers, from the West Indian regiments of the British empire.[425] But he was unable to convince the Colonial Secretary of State of the soundness of his views in this respect.[426]

The plan suggested by Colebrooke was to settle these ignorant black men in close settlements on the Out-islands, apparently unthoughtful of the meager refining influences that existed even in the better populated parts of the Colony. Lord Glenelg could not consent to the formation of such settlements where men would not learn the English tongue, nor imbibe English democratic ideas, nor become attached to the British Crown. Colebrooke admitted the desirability of these things but still hoped to win favor for his project. He desired to have the captives brought into the Colony and apprenticed to the inhabitants. He

[422] Colebrooke to Aberdeen, No. 13.

[423] Colebrooke to Aberdeen, No. 18 and No. 51.

[424] *Loc. cit.*, No. 41. He was persuaded that they ought to be able to subsist themselves in such settlements by their own labor. Much work had been done in these two places under the direction of Sir James Smyth to make them desirable places for residence.

[425] *Loc. cit.*, No. 51.

[426] Ds., S. St., 1836, No. 86.

argued that the Bahama apprentices were the most intelligent and the furthest advanced morally of those in any British West Indian colony.[427] He labored to prove that the negroes would be more favorably situated in the Bahamas than in Trinidad, arguing that there was an increased demand for them as salt-rakers and in loading vessels at good wages;[428] that the environment was better in the Bahamas than in Trinidad; that the general comfort and respectability of the Bahama negroes was superior to that of those in the neighboring British colonies; that adult laborers were generally able to make a comfortable living within two years after their introduction into the Bahamas; and that the treatment they would receive here and the homes they would find, would make them into loyal subjects of the King in return for the protection afforded them. The probable cost of settling them would have been inconsiderable, in his view, in prospect of the return for the outlay.[429] Fortunately for the captives, Colebrooke was unable to induce the Colonial Department to adopt his program for these settlements.

Colebrooke had only to deal with those negroes which were brought into the ports of the Bahamas from the neighboring water. But in this way many captives were introduced into the Colony. In March, 1836, the slaver Vigilante, with a burden of 230 negroes, and in April of the same year the Creole with 314, all in a deplorable condition, were brought to Nassau.[430] The cargo of the former was in a dreadful state. Diseased and wearied by the long voyage, many of them were blinded with ophthalmia. All were half naked and they were huddled together in a vessel without a deck, having to make their bed on the hedge poles which protected the yams, that served for their means of subsistence. The latter cargo, made up largely of children, was in nearly as bad condition. Under the orders of the Lieutenant-Governor they were in each case landed as soon as possible, and cared for in such manner as the meager hospitals and other places on the island could accommodate them.[431] After the negroes had been restored to strength they were indentured to the inhabitants, as had been done in the case of those brought in before. The people seemed eager to obtain these docile newcomers as serv-

[427] Colebrooke to Glenelg, No. 25 (1836).

[428] *Loc. cit.*

[429] Colebrooke to Glenelg, No. 39 (1836).

[430] Colebrooke to Glenelg, Nos. 28 and 31.

[431] *Loc. cit.*, No. 43. An attempt was made to prosecute the ships' masters for piracy on account of the atrocious conduct reported of them. The bills were rejected by the grand jury on the ground that they had no jurisdiction over crimes committed on the high seas.

ants.[432] The remnants of another cargo, most of whom were drowned at Harbor Island, came in November, 1837.[433] Two more loads of ghastly looking Africans, numbering in all 1043, were brought in the spring of 1838. Both of these vessels were of limited size. The Africans were cared for in the best manner possible. The people to whom they could be indentured desired to accept them as apprentices only for terms of a considerable number of years. Some difficulty was experienced in the attempt to bind them out for short terms. There were applications for all of them, however, and all were indentured within a few weeks.[434]

The demand for indentured servants at Nassau was almost satisfied. The eagerness to receive them abated. In the early summer of 1838 great difficulty was experienced in disposing of the cargo of a Spanish slaver. Adults were less easily indentured than children. The inhabitants would only accept them on terms that were very favorable to themselves. If set free the newly arrived Africans were not equal to the battle with their circumstances. They could not understand the nature of agreements, and were unable if unaided to gain a living. It was always best to place them in tutelage and under the care of the special justices, in order to prevent them from being imposed on by the public. Those who were able to receive them as servants preferred to contract for a term of seven or fourteen years. Many would not take them for a shorter term. It was more profitable to apprentices, as well as to the masters, to place them out for the longer term. The masters endeavored to teach long term apprentices to be useful and many of them became independent and prosperous after a few years, whereas little interest was taken in teaching those who would soon have to be released.[435] During this summer, also, the failure of Colebrooke's settlements began to throw the negroes in them back on the hands of the government. It became impracticable to place indentures for shorter terms than four years.[436] The necessity of the maintenance of any considerable number of them was avoided by the vigilance of Lieutenant-Governor Cockburn in finding new employment for these people. A few, however, did fall upon the government for a time.

After the cancellation of the praedial agreements the indenturing of this class of Africans was also discontinued. This left some without employment.

[432] *Loc. cit.*, No. 39.
[433] Cockburn to Glenelg, No. 38.
[434] Cockburn to Glenelg, No. 75.
[435] Cockburn to Glenelg, No. 79.
[436] *Loc. cit.*

In the autumn of 1838, all Africans landed from slaving vessels were freed from the obligations of their indentures.[437] The children from a brig that was brought to Nassau were placed in care of the African establishment at Carmichael.[438]

The settlements made for these Africans were not successful. That at Highburn Cay made by Sir James Smyth failed, because of a drouth. Those at Carmichael and Adelaide were declining during the administration of Colebrooke. Another was formed at Headquarters, near the city of Nassau. This was the most successful of any of these experiments. The site of Headquarters, now called Grants Town, was a swamp. The negroes entered it under the supervision of the government, drained it, enclosed their allotments, planted gardens, erected dwellings, and laid out streets and other improvements for the public good.[439] On this site was formed a permanent settlement, the lots being sold to those who occupied them. Preparations were made for a large scheme of settlement wherever the vacant lands of the Colony would admit it. Township sites were selected on the Out-islands. Among the first of these was that at Stirrups Cay, one of the Berry Islands, fifty miles north of Nassau. This place was called Williamstown, in honor of the King; another was called Victoria for the princess. There was much competition for building sites in these places. Colebrooke hoped to persuade the negroes to settle in these places and to establish permanent homes as soon as they were set free.[440] Some of these settlements flourished for a time, but none of them with the exception of Grants Town has had any considerable permanent importance in the Colony. They generally declined after a few years. Some of them have, however, become the sites of the small towns on the Out-islands. There has been no continuous prosperity in the Colony that would warrant the building of towns. Bennetts Harbor at San Salvador, the Harbors at Rum Cay and Ragged Island, at the Bight and Great Harbor at Long Island were among these town sites that were selected at this time.[441]

[437] Cockburn to Glenelg, No. 119.

[438] *Loc. cit.*, No. 134. Cockburn received an instruction to the effect that he should use all means in his power to secure the cancellation of these agreements, but did not understand it as applying to the captives. A little later he received more definite instructions and proceeded to give the order for the cancellation of these indentures. *Loc. cit.*

[439] Colebrooke to Glenelg, No. 72.

[440] Colebrooke to Glenelg, No. 125.

[441] Sess. P., 1836, 49, pp. 543-5.

Relations of the Branches of the Government.

The transition from slavery to apprenticeship in the Bahamas was accomplished without any considerable disturbance. In some places the negroes had refused to work until the coming of the magistrates, when the new relations were explained to them. The coming of these officers proved a cure for all ills of this kind. Quiet was restored. It was now known that slave property was annulled, that compensation would be received for it, and that any efforts this little Colony could make could not alter in the least the working out and attainment of the object at which the home government was aiming. Four years were left to the people in which to employ their laborers without other remuneration to the latter than that of subsistence. It was to the advantage of those who had owned slaves to make the most out of the services of apprentices, while the opportunity lasted.

The spirit of the slave owners was conquered. They had resisted, standing on their inviolable "constitutional rights" of Englishmen, until Parliament gave the death-blow to their "right" to hold slaves in British territory. Now that continued attempts to resist could effect no longer a postponement of the evil day, they determined to comply with the wishes of the home government in the regulation of the apprenticeship system. Their most liberal concession was that by which they provided that the King might disallow any part of their statute regulating apprentices, without impairing the other parts of the same act.[442] The objectionable parts could thus be annulled without destroying the act itself. The Assembly also complied with the recommendations of the Secretary of State for amending the auxiliary act, and passed other laws such that early in the summer of 1835, the Secretary of State was able to admit that "satisfactory provision had been made by the Bahama government for carrying out the intentions of His Majesty's government" in the abolition.[443]

Although this compliant spirit prevailed for a time, there were still smoulderings of resentful opposition to the progress of the measures of the government. These feelings were shared by the members of the opposition party in the House of Assembly and were supported by a faction at Nassau. A newspaper published by a young American furnished an outlet for the expression of the views of this faction. This party seemed to be unwilling to believe that any measures of the home government, for the improvement of social conditions in this Colony, could operate successfully. The members

[442] 4 William IV, 21, last section.
[443] Ds., S. St., 1835, No. 26.

of it at first distrusted the special magistracy. There was for a time a total ignorance at the capital as to the state of things in the Out-islands. Before the return of the special justices from their first circuits, this disaffected faction attempted to take advantage of this ignorance to bring the government into disfavor with the people. For a time none could contradict the charges they made. Such conduct was unfavorable to the progress of the reforms, and of government measures in the Assembly."[444] Even after the report of favorable conditions came, this faction continued to represent things as unfavorable, in order to place the government in a bad light."[445] The members of this party were jealous of the class just rising from the condition of slaves, in which they had wished to keep them. Lieutenant-Governor Colebrooke saw among them what he called the spirit of Americanism, a lack of reverence for royalty and of attachment to the mother country, which he attributed to the frequency of communication with the States."[446]

The House of Assembly sitting at this time was that which had been elected in 1834, before the abolition took effect. A considerable portion of the constituency existing in 1835 had had no voice in the election of this body, a fact which caused no little dissatisfaction both on the floor of the House and outside of it. In its membership were four gentlemen of color who had sat through its deliberations without menace to public interests. A few members, chief among whom was Charles Rogers Nesbitt, favored government measures and generally succeeded in carrying them through the House. Speaker Meadows and a number of others were of the opposition, some of them almost violent against the government. Still other seats were occupied, or at least controlled, by the merchants of Bay Street at Nassau. These inclined to the opposition."[447] Besides these there was a violent member sitting for the Turks Islands, who was a disturber and an opponent of the amelioration measures."[448]

[444] Colebrooke to Glenelg, No. 94 (1835), and No. 10 (1836).

[445] *Loc. cit.*, No. 10.

[446] *Loc. cit.*, No. 10.

[447] Colebrooke to Glenelg, No. 10. The elections in some of the Out-islands were nominal. In some of these only a few electors would assemble to vote and the poll was easily controlled. In closer settlements the poor inhabitants were dependent on the merchants for their necessaries and were generally indebted to the latter, who could control their votes.

[448] Colebrooke to Glenelg, No. 10 (1836). This man, Henshall Stubbs by name, was the only considerable employer of labor at the Turks Islands who refused to make voluntary engagements with his apprentices. He was reported to have been constantly in disputes with the magistrates.

The spirit of the opposition was "inimical to the changes in progress."[449] The Council, with the exception of one or two members, was in favor of the program of the government.

A session of the Assembly which began in the autumn of 1834, under the administration of Balfour, continued until after the coming of Colebrooke, in February of the following year. In March, 1835, the House of Assembly incorporated in its appropriation bill an item of £2225 as remuneration to Henshall Stubbs, the member from the Turks Islands, on a claim for service rendered with a private guardship at the Turks Islands, during the agitation over the abolition of slavery.[450] The claimant voted in his own behalf and the appropriation bill was carried in the House by a majority of only one vote. On account of the presence of this item the Council rejected the whole appropriation bill. A sensation was created in the House by this vote. To prevent a difficulty the Lieutenant-Governor prorogued the Assembly for a few days. A new session began within a few days afterwards. No serious interruption of business was caused by the prorogation and the effect of it on the House was salutary. The members became milder and received government recommendations with more favor than before.[451] But in this session one of the first things to come up was the appropriation bill including the claim of the Turks Islands member. The amount of the claim had now been reduced to £900. The Council, although disposed to reject the bill again, passed it and it received the assent of the Executive.[452] The Council did not adjourn without placing on record a resolution that it would pass no more such claims for public services unless they were preferred through the Executive. The bone of contention was removed. The Assembly was prorogued without further breach of relations, but the feeling in the House was not such as to promise careful consideration to proposals at the next session.

[449] *Loc. cit.*

[450] H. V., 1834-5, p. 130, report of the committee on this claim. There had been excitement and insubordination at the Turks Islands in the year 1832 when all were expecting action by Parliament on the slave question. The slaves were not easily controlled. Many of them were eloping from Grand Cay. There was little hope of securing aid from Nassau to put down the insubordinate. Stubbs offered to employ his own vessel, equipped and manned by himself, on condition that the inhabitants would certify that the vessel was needed to preserve the peace. Thirty-seven persons, five of whom were magistrates, agreed to certify to his claim. Stubbs fitted out and manned his vessel and did guard duty from April 11, 1832, until March 6, 1834.

[451] Colebrooke to Aberdeen, No. 26.

[452] Colebrooke to Aberdeen, No. 64.

The Assembly met again in December, 1835. Thus far the government had been able to counteract any opposition that had arisen in the popular body. Tranquillity continued to prevail in all parts of the Colony according to reports that came to the capital. The intelligence of this acted favorably on the people. It was not without effect within the halls of the legislature. But little of it supported the contention of the opposition as to the success of the apprenticeship system. At the opening of the session, the Executive refrained from making reference to anything that might distract the members from attention to the public interests. Nothing was done to arouse the opposition. But the discontented could not act with equanimity of mind from the very beginning of the session.[483] Things without and within disturbed them. Soon after the meetings had begun, an American brigantine, whose masters were charged with piracy, was brought into port.[484] As the Vice-Admiralty Court could not meet for trial of the prisoners until February, 1836, a bill was passed in the legislature to permit them to be tried at once without incurring the expense of supporting them for almost two months.[485] The judicial proceedings were followed with interest by the people. The members of the Assembly were no less stirred up than the rest of the community. Troops had to be employed to guard the prisoners.[486] A proposal to repeal the clause in the militia act, which forbade the enrolment of the blacks in the service, was rejected by the House after an animated discussion.[487] A bill for improvements in the administration of justice was thrown out on the second reading.[488] A very popular education

[483] Colebrooke to Glenelg, No. 10 (1836).

[484] *Loc. cit.*, No. 120 (1835).

[485] Colebrooke to Glenelg, No. 4 (1836). There were 176 persons under the charge of piracy. It did not seem unwise to dispose of their case as soon as possible.

[486] *Loc. cit.*, No. 13.

[487] H. V., 1835-6, 53, resolutions passed on this occasion. Located as the Africans were in the Colony in settlements almost entirely removed from the other inhabitants and at a distance from any power to control them, this together with the probability that more of them would arrive at any time from Africa caused the majority in the House to think that "an act to prevent the enrolment of them in the Colonial militia," was desirable. There lay in the removal of it too much danger to the public peace. The House professed to be willing to facilitate the enrolment of the militia, but not in this manner.

[488] Regarding this action of the House, the Lieutenant-Governor wrote: "That the bill for the administration of justice was not allowed to go into committee may be ascribed to the clauses it contained for preserving the jury trial and the constitutional objection I maintained to any abridgment of the right of the subject to trial by jury which the House has shown a disposition to abridge since the recent changes in society." Colebrooke to Glenelg, No. 10 (1836).

bill was passed by a majority of four after a strong opposition. A proposition came up to appropriate money to pay the expense of the trial of the pirates. A minor item in it was objected to. The whole bill of expenses was at once rejected by a resolution which declared that the Receiver-General had acted illegally in paying it.[459] Excitement in the House was growing. Taunts were thrown out to the Council for its yielding on the appropriation bill in the previous session. The sensation produced in the Council by the reckless course of the House caused the Lieutenant-Governor to see that any longer continuance of this conduct could only cause greater dissatisfaction and that the opposition would gain strength by it. The fractious member from the Turks Islands declared, on the floor of the House, that the members then sitting did not represent fairly the constituencies as they then existed, and that an appeal to the people should be made. The Lieutenant-Governor acted upon the suggestion, dissolving the House near the last of January, 1836.[460] The dissolution seemed to be at the time chosen for it by the House itself. The Council concurred with the Executive in the move. It seemed likely that an appeal to the people would show that the opposition was a minority in the Colony.

A serious breach in the relations of the two branches of the Assembly was averted by the timely action of the Executive. Relations had not been cordial during two or three sessions, but now the House was wrought up to such a state of excitement that any violent proposal against the Executive would have received heedless support from the opposition. Under such conditions an exercise of the prerogative was desirable. It was important also to give to the class just emerging from slavery an opportunity to reflect upon the responsibilities which they would soon be called upon to discharge, in voting for legislators.[461]

Another Assembly was called as soon as the forms of an election could be gone through. The results of the dissolution were manifest in the better spirit with which the new body applied itself to legislating for the interests of the Colony. More enlightened counsels prevailed. Liberal militia and education bills were passed, and provision was made for the incorporation of the Turks Islands.[462] The administration of justice was reformed, improved regulations

[459] *Loc. cit.*, No. 10.

[460] *Loc. cit.* Also H. V., 1835-6, pp. 138-40.

[461] Colebrooke to Glenelg, No. 53 (1836).

[462] The act for this purpose was disallowed in the following year, H. V., 1837, 288.

were made for contracts between employers and laborers and for praedial apprentices, and prison discipline was mollified.[463] The leaders in this body were active and public spirited. They coöperated with the government in measures for the public good. It was gratifying to Colebrooke that the liberated had thus been "called into a political existence, and a perception of their real position and importance in the community of which the other classes as well as themselves (had) remained in a great degree unconscious."[464] The electors and those who were sent to the new House were disposed to promote measures favorable to the public improvement.[465]

Termination of Apprenticeship System.

The special magistracy continued in its effective control of the apprenticeship system. The corps of six magistrates was sufficient to attend to all the business of the Colony, to preserve order and to promote harmonious relations between the classes. The zeal of the magistrates to give justice to all classes was such as to inspire and renew confidence in them. They were reluctant to allow the infliction of corporal punishment, except in cases where no other form of punishment would suffice. In this respect a greater amount of discretion was allowed towards the close of the period. This was almost the sole change that was made in the system as instituted by Lieutenant-Governor Colebrooke.[466] The efficient management by the magistrates tended to lessen the need of their presence as regulators. A reduction in their number was suggested. The establishment was a costly one for this small Colony to support with the narrow basis on which it depended for its revenues. This fact alone was sufficient in the minds of the local legislators to warrant its reduction.[467] Cockburn was unfavorable to the reduction, unless some other officials than the ordinary justices of the peace could be looked to to assume the functions of protectors of the praedials.[468] Quiet continued to reign throughout the

[463] H. V., 1836, p. 315-17. Also Bahama Statutes, 6 William IV.

[464] Colebrooke to Glenelg, No. 52 (1836).

[465] *Loc. cit.*

[466] Cockburn to Glenelg, No. 66.

[467] The cost of the six magistrates was £2700 annually. Cockburn to Glenelg, No. 56.

[468] *Loc. cit.*, No. 56. Cockburn thought if a reduction was made in the number of these officers two or three should be retained, and the duties assumed by the ordinary justices. This he thought might not prejudice the interests of any class. This would serve to bring the negroes to look for protection to the same officers to whom they had formerly looked before the abolition.

Colony. The apprentices were contented under the regulations as the special justices applied them. The spirit of industry increased. Many apprentices had become independent, the striving for the attainment of which condition had become a great stimulus to them. The near approach of the day when the praedials were to be released caused no demonstrations of anxiety. All reports were most favorable to the good conduct of the laborers.[469]

But as the end of the term of the apprenticeship of the non-praedials approached, certain elements in the population of the mother country began an agitation for the release of the praedials by action of Parliament. A memorial was presented to the House of Commons setting forth as facts many things that were not true at all, of this Colony at least, and praying that final action be taken by that body to release the praedials from the remaining two years of their bondage.[470] The Ministry made a reply declining to take the lead in making any such recommendations to Parliament.[471] But the Secretary of State for the colonies made enquiry of the Lieutenant-Governor as to the probability of the local legislature enacting the desired release of the praedials. The state of opinion in the Bahamas, following upon the deep wound of the abolition, was such that the auspices were unfavorable to the introduction of this measure into the local legislature. In addition to this, all parties were so well contented with the existing relations that it seemed unjust to the owners of praedial labor to obtrude a measure to deprive them of it.[472] Cockburn regarded the introduction of this measure as unnecessary.[473]

Nevertheless the question was brought up in the mid-summer session of the legislature in 1838.[474] The House of Assembly elected in 1837 was under the control of the opposition.[475] The Speaker of the House was also of the opposition faction.[476] There had been several resignations from the House,

[469] Sess. P., 1839, 37, p. 487 (12-14).

[470] Sess. P., 1837-39, 49, pp. 6-8. Petitions to the same effect signed by 600,000 women were sent to Parliament.

[471] *Loc. cit.*, p. 6.

[472] Cockburn to Glenelg, No. 5 (1838).

[473] *Loc. cit.*, No. 68.

[474] *Loc. cit.*, No. 84. See also Sess. P., 1839, 37, p. 487 (9).

[475] On the departure of Colebrooke from the Bahamas, President Hunter, of the Council, had administered the government until the arrival of Cockburn. He dissolved the legislature and called another. Cockburn to Glenelg, No. 86.

[476] Speaker Meadows was formerly violent in his opposition to the government. He was appointed to the chairmanship of this House without opposition. In 1834 he was the mover of the resolution to censure the Council which became the occasion of the dissolution of the Assembly by Balfour. He introduced the measure in 1836

and the elections to fill the vacancies had resulted in favor of the opposition. The then recent amendment to the imperial abolition act,[477] granting rights to the praedials and additional powers to the governors of the colonies, was unpopular among the employers of praedial labor. It was repugnant to them to be subjected to additional regulations from home.[478] Some of the members of the House were doubtless influenced by these new regulations to vote for the release of the praedials, when the matter was presented to that body. The friends of the government were active to strike objectionable provisions out of the original bill, and to make it as favorable as possible to the emancipated classes. Finally on July 2 the Executive was notified that the bill had been passed. On the 3rd of July the two houses were called into the presence of the Lieutenant-Governor, who was there to sign the bills to which he would give his assent. A very irregular proceeding occurred. The Speaker of the House, with the concurrence of his colleagues, arose and in a confused manner read a long address, calling in question the right of the imperial Parliament to legislate for the colonies, and arraigning the representative of the Queen for his conduct in dealing with the apprenticeship question.[479] This was a last expression of the long-confined feelings of the late slave owners, perhaps intended for a revenge against the prerogative for fancied wrongs against the rights of the people. As soon as opportunity was allowed, the astounded Executive signed the bills and dismissed the assemblage. The business of the session was allowed to proceed without interruption by the government. The House tendered its presiding officer a vote of thanks for his compliance with its wishes, and hastened to strike from its journals a minute stating that his conduct was not concurred in by its members. The Lieutenant-Governor was urged to dissolve the House at once, as a mark of disapprobation of irregular conduct. Cockburn preferred to await an authorization from the Colonial Department at London

that led to the dissolution by Colebrooke. In 1837 he took active part in the measures that led to the dissolution by President Hunter. His career in the Colony had been begun in the commissariat, from which Sir James Smyth had dismissed him for his conduct in the treatment of a gang of slaves while acting in the capacity of agent for an absent proprietor. From that probably arose the opposition which he so actively followed against the government. He had been quiet on the coming of Cockburn, but it was not long before his unbecoming conduct brought his colleagues into difficulty. Cockburn to Glenelg, No. 86. Meadows was appointed to the Legislative Council after the separation of the Councils.

[477] Imp. Stats., 1 Vic., 19.

[478] Cockburn to Glenelg, No. 86.

[479] Cockburn to Glenelg, No. 86. This speech also contained some remarks about the abolition act of Parliament.

although convinced of the expediency of an early dissolution.[480] In the early part of the following year this body was sent back to the people who had elected it, in order to secure another expression of their will.[481]

The praedial apprentices were now released from the unexpired portion of their term of apprenticeship.[482] Old and infirm persons now coming free were to be supported at the expense of the State unless otherwise provided for.[483] In order to prevent the praedials and others from being thrown upon the public without homes, two months notice was made necessary before an ejectment from rented property could be forced. But there was no general disposition to take advantage of the negroes in any such way. August 1, 1838, passed by with no demonstrations of insubordination on the part of the class which was coming into command of itself. The harmonious relations that had existed since the latter part of the year 1835 continued to prevail.[484] The employers and men acted in the best spirit. Content with their relations since the abolition, the negroes wished to continue in the service of their former employers, and the latter were disposed to enter into relations for mutual benefit.[485] In addition to this, the indentures of the Africans were cancelled in the autumn of this year (1838). The last of bonded labor as a general system was done away with in the Bahamas. It had long been in existence here. Henceforth the affairs of the Colony concern freemen. In the next chapter it will be necessary to show how the progressive spirit of English nineteenth century politics dealt with the negro as a freeman, how unceasing were the efforts made to educate him and to further ameliorate his condition, by introducing into his very being the seeds of civilization, of morality, and of economic well-being.

THE PERIOD 1838 TO 1848.

The Opposition Party and the Government.

The numerous contests with the Assembly during the last decade were not calculated to produce harmony between the government and the House of Assembly. The small number of those who were likely to be elected to seats in

[480] *Loc. cit.*
[481] Cockburn to Glenelg, No. 14 (1839).
[482] 2 Vic., 1.
[483] *Loc. cit.* Also Sess. P., 1839, 37, p. 487 (12).
[484] Cockburn to Glenelg, No. 96. Sess. P., 1839, 37, p. 487 (12).
[485] Sess. P., 1839, 37, p. 487 (14). *Loc. cit.*, p. 12, report of S. J., for New Providence.

the House made it almost inevitable that each House of Assembly would have in its number some persons who had sat in former Assemblies. Thus in 1838 there were members of much influence who had sat through all the stormy sessions of the House since 1830. Some of these had been leaders of the opposition faction. This party had acquired the habit of unqualified opposition in all its contests with the government. Some of its members had voted for the release of the apprentices. It now formed a majority in the House, and had no disposition to consider favorably any measure that the government might propose. Its members made harsh accusations against the government[466] during the session that occurred in the autumn of 1838. The Lieutenant-Governor had long been convinced that a reference to the people would be expedient. He acted very deliberately, however, preferring that it should be known that the anticipated dissolution had been authorized from London instead of from the Government House at Nassau.

The House of Assembly sat and stormed. The land question came up. The government proposed a measure to prevent the unauthorized occupation of the Crown lands of the Colony.[467] The bill was modeled after an Order-in-council that had been issued for the Crown colonies. After a heated discussion of its merits and demerits it was rejected. Some members of the opposition took occasion to express want of confidence in any measures the government might propose for passage. It became evident that the carrying out of the views of the government must depend on the issue of a new election. The majority were expressly hostile to the government program. Relations between the government and the House were at their worst, and the time was ripe for an improvement of them.[468] Any longer delay would have given weight to the accusations made by the opposition, as it would have appeared to be overlooking past misconduct. The dissolution occurred early in 1839. This step was taken with anything but haste. Francis Cockburn had been urged to pursue this course six months earlier. He preferred to consider well the results that might be expected to flow from it. The House on its part grew more violent with every step, so violent that it was no longer doubtful that it ought to be dissolved.

The business of the Colony demanded the attention of the legislature.

[466] Cockburn to Glenelg, Ds. of Dec. 22, 1838, Misc. Letter Book of Governors, 1838-50.

[467] Cockburn to Glenelg, No. 5 (1839).

[468] Cockburn to Glenelg, No. 5 (1839).

The act granting the salary list was to expire at the beginning of the following year, the regulation of the relations of masters and servants required a new adjustment, and, most important of all, the Colony was face to face with the duty of educating the ignorant among its population. Another attempt at legislation must be made for the sake of these and other interests. Writs for a new election were issued without delay. It seemed likely that a majority favorable to the government would be returned. It was certain, however, that the opposition would make an attempt to seat as many members as possible. There had been a difficulty in former elections that men of respectability, who were favorable to the government, refused to offer themselves for seats in the House. This was not true at this election,[489] but there was a regrettable lack of zeal for candidates whom the Lieutenant-Governor desired to see elected.[490] Much influence was exerted in this election by the control of the salary list. The issue of the contest was not certain. Public officers drawing salaries from the local government were deterred from taking active part in behalf of government candidates by the fact that the Assembly had power to diminish their incomes. In the previous year the House had reduced the salary of the Provost Marshal £100 without previous warning, and, had the Council or the Lieutenant-Governor interfered, the whole appropriation for the year would have been rejected. The Surveyor-General had not received a salary for several years.[491] Other officials were extremely reluctant to give support to persons known to be in favor of government measures. Violent but groundless accusations were made against the representative of the Crown. It was alleged that the sacred ordinances of religion had been prostituted to subserve the political interests of the government. Objection was raised to the voting of Africans whose indentures had been lately cancelled. It was questioned whether they should be placed on an equal footing with the discharged apprentices.[492] Attempts were made to turn the liberated Africans against the government, and to induce them not to support candidates who would be likely to vote for government measures in the coming sessions of the legislature. A hard contest was fought at Nassau. One, John Pinder, who had advocated the claims of the Africans for naturalization, was strongly opposed by this party. Pinder was held up as an enemy of the negroes. The latter, however, voted

[489] Cockburn to Glenelg, No. 9 (1839).
[490] *Loc. cit.*, No. 20.
[491] Cockburn to Glenelg, No. 20.
[492] *Loc. cit.* This despatch intimates that they had been allowed to vote.

for their benefactor and he was elected.[483] The Turks, Crooked and Acklin Islands, all of which had formerly been dominated by the opposition, now returned government members.[484] The election resulted in an almost equal division of the membership of the House between the government party and the opposition. Among those sent up were several individuals belonging to the military forces stationed at Nassau. They were generally Englishmen and favorable to the government policy. In this instance they helped to make up what became eventually a bare majority for the government party.[485]

Election of Speaker.

The legislature was convened on May 6, 1839. The opposition voted for the reëlection of the Speaker of the last House. Opposed to him was the Attorney-General, George Campbell Anderson, who had been a staunch advocate of government measures for several years preceding.[486] A great interest was taken in the contest. It was reported to the Lieutenant-Governor that a ballot had been taken and that it had resulted in a tie vote. Each party persisted in support of its candidate.[487] The Executive declined to interfere. He wished to avoid the appearance of doing anything that was irregular, since, in the sensitive state of opinion in the Colony, many were seeking every opportunity to make complaints against his conduct. When it appeared that different results were not forthcoming, Cockburn prorogued the Assembly for a month in order to allow time for reflection as to the course he should pursue. It appeared that the deadlock would continue and that the ultimate choice would lie with him. But in the interval of the prorogation, one of the members of the opposition sailed for England. This led to the solution of the difficulty. The House met again at the appointed time and elected Attorney-General Anderson as its Speaker.[488]

Hitherto no objection had been made to the presence of the military men

[483] Cockburn to Glenelg, No. 14 (1839).

[484] *Loc. cit.*, No. 20.

[485] Cockburn to Normanby, No. 11. The elections to vacant seats after the opening of the sessions of this House resulted in the return of government members. *Loc. cit.*, No. 21.

[486] Anderson had been a supporter of the government since he had come to a position of influence in the Colony. He was appointed to the Executive Council in 1841. At this time he began his services as Speaker of the House in which position he continued for twenty-six years. He retired from the place with great honor on the occasion of the disendowment of the Anglican Church of the Bahamas.

[487] Cockburn to Normanby, No. 2.

[488] *Loc. cit.*

who had been elected members of this House. There was no colonial law nor any regulation to prevent them from sitting in the House if elected. These men had been freely elected by the suffrages of the qualified voters; they were subject to the same qualification oaths as to property, etc., as the other members; some of them had been in the Colony for many years and had become property holders and were certainly not ill-qualified to sit in the legislature.[499] Custom in the colonies seemed to favor allowing them to hold seats in a colonial legislature. Attempts were made by the opposition to secure their votes against the government, failing which it was charged that their election was a wrong against the people. The opposition seized upon their presence in the House as the cause of its own defeat in the speakership contest and objected to their retaining seats. It was now charged that undue influence had been exerted to bring about their election.[500] The Executive had already begun to present the government program for the business of the session when a motion was made for the unseating of the military members. The latter withdrew during the consideration of this question, but there was still a majority of the House in favor of their retention of the seats to which they had been returned.[501] After this disappointing vote, the jealousy of the discontented members was shown by their attempts to obstruct legislation and to hinder the progress of business. They were unable to cause serious concern to the government during this session. The opposition was now defeated. It had kept up the feeling against the representative of the Crown since Sir James Smyth had first broken with it in 1831, it had hindered business, had impeded the changes that were being made in society, and had always been tenacious in clinging to and claiming constitutional right and privileges which neither King, Ministry, nor Parliament would recognize as belonging to the Colony. It had gone so far, in many instances, that it was no longer popular with the majority of the people. Several of its prominent members had emigrated, others had become reconciled to the changes and had become supporters of the government. A minority remained to contest with the government. From this time we shall find an improvement in the character of the relations existing between the government and the Assembly. Opposition did not cease, but for several years the situation was within the grasp of the Governors and their leadership

[499] Cockburn to Normanby, No. 12.

[500] *Loc. cit.*, No. 11.

[501] *Loc. cit.*, No. 12. The return of Lieutenant Nicolls, sitting for Watlings and Rum Cay, was found to be irregular. Writs were issued for a new election in that district.

was followed in legislation. The results of this dissolution on the politics of the Colony were far-reaching.

Government Prevails.

The margin of the majority in the House was narrow. In this June session the disaffected members voted against almost all measures that were not of their own finding. Bills for the regulation of masters and servants, for the prevention of vagrancy and the unauthorized occupation of land, and for placing the control of the militia in the hands of the Governor, were passed only by the casting vote of the Speaker.[502] The absence from his seat of one member of the majority would have blocked its way in legislation. A fear that such would be the state of things seized upon the Lieutenant-Governor before the beginning of the next session in December, 1839. Charles R. Nesbitt, the leader of the government party, was absent from the Colony.[503] His leadership was needed in presenting the measures of the government, if the turbulent party was to be kept under control.[504] The importance of his presence was so great, in the mind of the Lieutenant-Governor, that he delayed convening the legislature as long as it would not cause inconvenience to the public interests,[505] awaiting Nesbitt's return.

One of the most vital questions at issue was that of the control of the civil salary list. This Colony was always reluctant to vote freely on appropriations for public purposes. The number of years for which any annual payments were guaranteed was always guardedly limited. Salaries had been relegated to the list of expenses regularly provided for in the annual appropriation bill. There they could be reduced or otherwise changed at the whim of the House of Assembly. This was a thing that was manipulated arbitrarily to suit the occasion that offered. The almost absolute certainty that such use would be made of it, that salaries would be scaled down and the incumbents of office be made to feel want, had become a menace to officials and a spur to them to

[502] Cockburn to Normanby, No. 12.

[503] Nesbitt was in England at the time. Cockburn had the utmost confidence in him as a supporter. He had asked the Secretary of State to confer with him during his stay in London, to regard him as a thoroughly reliable witness as to the conditions existing in the Bahamas, and to accept what he might say as indicating the views of the local government. After the elevation of Anderson to the Speaker's chair, Nesbitt had become the member on whom Cockburn relied. His leadership, no less than his vote, was needed.

[504] Cockburn to Normanby, No. 36.

[505] *Loc. cit.*, No. 36, and Cockburn to Russell, No. 5 (1839).

govern their conduct in accordance with the prevailing temper of the majority in the House of Assembly. The management of it was as unscrupulous as it was vexatious. Its effects were manifest in the election that had just passed, and no less in others before this one. It also became a factor in determining the attitude of members of the House who were officials, towards measures that came up for consideration. For five years, however, the imminence of this danger had been removed, as a result of the grant of salaries for that period obtained by Balfour in 1835.[506] Francis Cockburn now desired to have such a vote again, and if possible to secure the grant for the whole reign of the Queen.[507] He had almost accomplished his object when the defection of two members of the House, on whose support he had relied, defeated the plan and made the grant for only seven years.[508] The matter was not allowed to rest with this. During the same session Cockburn applied for and secured an amendment by which the grant was changed from seven years to the whole reign of the Queen.[509] This seems to have been an example of confidence in the Crown that was almost without precedent in the British West Indies.[510] There was no longer any immediate anxiety as to the control of the salary list.

Separation of the Councils.

The nucleus of the support received by the Executive of the Bahamas from the colonial people, lay in the Advisory Council. In all the struggles with the local people during the previous twenty years this body had stood with the Executive with few exceptions. It was often a lukewarm support that some of the members gave, and there was sometimes a determined minority of the opposition in it. It usually acted in harmony with the wishes of the Governor, with whom it was closely allied in the affairs of government. After it had been remodeled by Sir James Smyth it had become a source of strength to the government. In this Colony one body of men had acted as a Legislative Council and as a Privy (Executive) Council to the governor, its members being thus excluded from the membership of the House of Assembly. It was a custom to appoint to seats in the Council men of the first rank for moderation and general worth. There were two vacant seats in the Council in

[506] Balfour to Rice, No. 43. The Assembly had been compliant during that year.
[507] Cockburn to Russell, Nos. 5 and 8.
[508] *Loc. cit.*, No. 8.
[509] *Loc. cit.*, No. 15 (Feb. 14, 1840).
[510] *Loc. cit.*

1840 and another was vacated by the death of the senior member, John Irving.[511] There were two men in the House of Assembly whom Cockburn desired to have in his Advisory Council. These were Charles R. Nesbitt and George C. Anderson. They would have to resign their seats in the House if they should accept seats in the Council. Cockburn applied to the Colonial Department for a separation of the Councils, vesting the legislative functions in one body and the executive functions in another, as had been done in other colonies.[512] Under this arrangement he could have the two members of the Assembly as advisors, while they retained their seats in the House. Thus would he have in the House men who were closely identified with the government, and that body would be the more easily controlled.[513] Instructions were accordingly sent during the following year by which the executive functions of the Council were vested in one body of men and the legislative in another. The maximum of membership in each Council was fixed at nine members, three of whom could transact business.[514] The members of the Council were appointed and were to sit during the pleasure of the Crown. The senior member in each was made the presiding officer, except when the Governor chose to preside in the Executive Council. Seniority was left determinable by rules made by the Crown.[515]

Cockburn Becomes Governor.

When Blaney T. Balfour was placed in the government of the Bahamas his commission constituted him a Lieutenant-Governor and the governor's commission of his predecessor, Sir James Smyth, was continued. The latter, however, exercised no authority over the Bahamas after his departure in 1833. The authorities, in the Colonial Department at London at that time, had planned to grant a governor's commission to a person who should reside in some one of the West Indian colonies and exercise supervision over the gov-

[511] Cockburn to Russell, No. 28.

[512] Cockburn to Russell, No. 28.

[513] *Loc. cit.*, No. 28.

[514] Council votes, 1840, pp. 285-6, Mss. Vol. The original document bearing this instruction may be found in the office of the Register of Lands at Nassau.

[515] Council votes. *Loc. cit.* An additional instruction was sent out at this time giving the names of the members of the Legislative Council. They were the Chief Justice for the time being, the Bishop of Jamaica (a seat later taken by the Archdeacon of the Bahamas), Patrick Brown, William Webb, Robert Sandilands, John Good, William Hield, John Storr and William Hamlyn, ranking in seniority in the order in which they were named in the instruction. In all other instances they were to rank in the order of their appointment. A change was made in this order soon after.

ernments of the others. The chief executives of the other colonies were to take rank as lieutenant-governors, which rank was less expensive to maintain than that of governor.[516] The plan was not put into execution. The Executive of the Bahamas ranked merely as a lieutenant-governor until 1840. On the death of Sir James Smyth in 1838 his commission as Governor thereby expired. Francis Cockburn, then in the government of the Bahamas, made application for promotion to the rank of Governor.[517] With the consent of the Secretary of State he applied to the local Assembly to grant a sum as an increase in his salary.[518] The Assembly voted without dissent to grant the addition to his salary and a commission was accordingly sent out to Cockburn as Governor of the Bahamas, which dignity he assumed early in the summer of 1840.[519]

Temporary Administration.

Francis Cockburn obtained permission for a temporary absence from his government in the winter of 1840.[520] He was almost prepared to depart for England when John Irving, the senior member of the Council, who was to administer the government during his absence, died in a sudden attack of apoplexy.[521] This sad event led to a series of embarrassments to the Governor which delayed his departure for over two years.[522] The next member of the Council in the order of seniority was the comptroller of the customs, who was excluded from the temporary administration by the colonial regulations. According to these same regulations the second member of the Council in the order of seniority would receive the commission to act as temporary administrator.[523] Arrangements were completed by which Patrick Brown, now

[516] It would seem that there was no reason for this in the Bahamas. The home government contributed the same amount to the salary of the Executive here, after the change, that it had paid before. The additional amount for the Governor's salary was made up by the Colony. At the request of the Secretary of State this portion contributed by the Colony had been discontinued.

[517] Misc. Letter Book, 1838-50, separate Ds. of April 9, 1838, and Sept. 9, 1839. The expenses of the chief executive were represented to be such, that it was difficult to maintain the dignity of that position at Nassau on the salary that was attached to the office. Besides the lieutenant-governor had to pay out of his salary for his private secretary and for the stationery for his official correspondence. The additional sum for the salary would be sought from the colonial legislature again.

[518] Ds. S. St., 1838, No. 62.

[519] Cockburn to Russell, Nos. 11 and 39 (1840).

[520] Cockburn to Russell, No. 6.

[521] *Loc. cit.*

[522] He had sought the leave of absence for the sake of his health.

[523] By this the commission would have fallen upon Patrick Brown, with John Storr as his alternate. The latter had a dormant commission as temporary administrator. *Loc. cit.*, Nos. 130 and 131 (1841).

senior member, was to administer the government. The customary addresses had been presented and the Governor had set the 26th of July as the date on which he would sail. Four days before that time the July mail brought a commission to Charles R. Nesbitt, the Public Secretary, as Lieutenant-Governor, thus placing him next the Governor, and in advance of all other claimants to the temporary administration in the absence of the Governor. New instructions also came for the swearing in anew of the members of the Executive Council, in which George C. Anderson, the Attorney-General, was now to take rank next to the newly commissioned Lieutenant-Governor.[834] If the embarrassment to the Governor was great, the disappointment of the older members of his Council was greater. A mere seat in this Council gave weight and influence to the holder, but the desirability of holding a seat was greatly enhanced by the possibility of eventually becoming administrator of the government. By this new arrangement the older members were set aside and younger men, the most recent appointees, were placed above them in rank. The consistent and cordial support given to the Governors during so many years could not be expected to continue, if the older members were made to think that they were of less consequence than the then recent appointees.[835] This arrangement also threatened to break down the government control of the House of Assembly, since the public secretary would be compelled to resign his seat in the House on his assumption of the government. It had been far from the intention of the Governor, in making recommendations to the Colonial Department, to bring about such a state of affairs as this.[836] Such tampering with the rank of members of the Council would not have encouraged men of high standing in the community to accept the tender of seats in it. Nevertheless the embarrassing instructions were followed out. The ceremony of swearing in the Council was performed amid the evident mortification of the older members.[837] Cockburn attempted to secure an arrangement by which the former senior member would assume the government, suspending the application of the new instruction. Nesbitt at first agreed to abide by the preëxisting arrangement. Afterwards he refused to do so and persisted in his determination to follow out the instruction.[838] The Governor still delayed to

[834] Cockburn to Russell, No. 130. Ds. S. St., 1841, No. 107, enclosed instruction of May 1.

[835] Cockburn to Russell, No. 97.

[836] *Loc. cit.*

[837] *Loc. cit.*, No. 131.

[838] *Loc. cit.*, No. 130.

take his departure.[529] He insisted that Nesbitt should abide by the former agreement, and recommended that the Secretary of State should lend his influence to enforce that agreement, and he determined to remain at Nassau until he should receive a reply to his despatch making these recommendations.[530] Lord Russell refused to make any change in the instruction.

The Governor might now have hoped to go away from the Colony on his leave. But Nesbitt continued to embarrass him. The latter desired the use of Government House during his incumbency of the government in order that he might perform the social duties of the head of the government. The Governor had planned to leave the building vacant and to have it repaired during his absence.[531] This caused further delay in the Governor's departure. He finally sailed in May, 1842, more than two years after the permission to leave was granted.[532]

This episode illustrates both the vanity of Nesbitt and the strictness with which Francis Cockburn adhered to his business engagements. It was certainly mortifying to the older inhabitants to be set aside for the younger men, but doing it in this instance did not endanger the public interests. Charles R. Nesbitt was an active public man and made an efficient administrator. His elevation to the position was made through no mistake of the Secretary of State. His ability was perhaps second to that of none of those who administered the government of the Colony.[533]

[529] Nesbitt's and Anderson's names had stood at the head of the list in the instruction for swearing in the Council. In his despatch No. 97, of March 12, 1841, Cockburn recommended that they should be placed at the bottom of the list. Lord John Russell replied that the appointment of Nesbitt, and the new instruction, had been made advisedly, and that no change would be made. Ds., S. St., 1841, No. 110 (Aug. 28).

[530] Cockburn to Russell, No. 130.

[531] Cockburn had consulted his Council, in which Nesbitt was sitting, on this matter and it had not occurred to the latter to raise objections to the vacancy of the building during the Governor's absence. The Council had concurred with the Governor in his resolve to repair the house. It had not been occupied by former temporary administrators. Cockburn regarded this conduct as discourtesy on the part of Nesbitt. (Ds. to Russell, No. 132.) On July 31, the Governor wrote further: "During the last twenty years it has not been expected that the temporary administrator of the Government should with his limited salary give public entertainments and it has not been done. . . . I am anxious that Government House should be vacant during my absence. I solicit your assistance again in sanctioning the previous agreement." (Ds. to Russell, No. 136).

[532] Nesbitt to Stanley, No. 1.

[533] After his return from England, Francis Cockburn wrote to the Secretary of State as follows: "I have much satisfaction in testifying to the zeal and efficiency with which he has conducted the various departments of the public trust which

Ecclesiastical Affairs.

There was an established church in the Bahamas. This church was an adaptation of the Anglican Church to the Colony, but with a very poor equipment for serving the religious needs of the people. The Colony of the Bahamas was in the bishopric of Jamaica.[884] The remoteness of the bishop, from this part of his see, almost cut off the Colony from the advantage that might have resulted to the local church from his ministrations. If he had resided in London the church would have derived as much benefit from his direction. The Colony was meagerly supplied with clergymen and churches. Of thirteen parishes only two had clergymen in 1835 when the parish of St. Thomas at Turks Islands was granted a minister.[885] The population of the Bahamas approximated 25,000 and was much scattered. There were a few thickly settled communities. Harbor Island, one of the most important of these, had only a Wesleyan chapel. The Assembly voted in 1835 to supply this place with a church and clergyman.[886] At New Providence in the parishes of Christ Church and St. Matthews were two poorly paid clergymen whose duties inside and outside of their parishes bore heavily on them.[887] In addition to their parochial duties they were the commissaries of the bishop, in the Bahamas.[888] Some other chapels depended on the incumbents of these two places. The rector of Christ Church was also

he has held. In my opinion in talents and in all other respects he is qualified to conduct the duties of any appointment to which you may be pleased to nominate him." (Cockburn to Stanley, No. 7 (1843)). Nesbitt remained in the Bahamas until his death in 1867. He administered the government several times. Seniority in the Executive Council and the succession to the temporary administration were determined in a peculiar way after this time. Lord Stanley of the Colonial Department ruled that the acting public secretary should become (*ex-officio*) senior member of the Executive Council and entitled thereby to administer the government on the death or absence of the governor, or of the temporary administrator (Ds., S. St., No. 38, also Nesbitt to Stanley, No. 6). The temporary public secretary, according to the ruling of Lord Russell in the previous year, was to be appointed by the administrator of the government for the time being, who in this case was the public secretary. Before the public secretary vacated his office to assume the government, his own office would not be vacant, therefore the governor could not appoint a successor to him. (Ds.. S. St., 1841, No. 110.)

During the summer of 1903, on the absence of the Governor, the public secretary acted as administrator of the government.

[884] Ds., S. S., 1824, circ. of Dec. 8.

[885] Colebrooke to Aberdeen, No. 54.

[886] H. V., 1834-5, p. 106 and 118.

[887] *Loc. cit.*

[888] Cockburn to Stanley, No. 22 (1842).

chaplain of the troops at Nassau. Conditions in the Out-islands were very backward in this respect. At Rock Sound a population of 2500 had neither church nor minister. The greater part of the remainder of the Colony was equally destitute. Some of the settlements up to 1835 were neglected by ministers or religious teachers. The Colony supplied of itself almost no ministers. It depended on those sent out from the mother country, who were better qualified for the duties to be performed here.

The stipendiary magistrates brought back from their circuits reports of religious destitution. Francis Cockburn still found the same state of things existing on his tour of inspection in 1840.[539] Long Island had appealed for assistance in building a church in 1835.[540] Other islands were calling on the government for the same purpose. Repeated and urgent appeals were made to the home government and to the Society for the Propagation of the Gospel, to send ministers to the Bahamas.[541] In addition to what was received from these sources, the Colony was able to make small appropriations for increase in the church establishment.[542] The local Assembly was reluctant, however, to make appropriations of public money for churches in places where the dissenters had already gained a foothold. It had caught some of the current spirit of determination to ameliorate the condition of the negroes, but it could not keep pace with the needs as they arose. What the local established church lacked was in part made up by the various religious societies in the mother country. They too were making great efforts for the emancipated classes. But these societies had to deal with the whole of the West Indies, and the Bahamas were but a small part of that large field. As it was in the case of the special justices in the apprenticeship system, so in the case of the church, an insufficient number of men were sent out and they were not capable of accomplishing the task that lay before the church. The funds available were inadequate to meet the needs of those who were disposed to supply them. In 1840 an additional clergyman was assigned to parochial duties at New Providence, and two others were provided for the purpose of visiting the Out-islands. The superintendent of the Carmichael School acted as a chaplain. This made a total of seven clergymen of the established church

[539] Cockburn to Russell, No. 20.

[540] H. V., 1835-6, p. 32.

[541] Colebrooke to Aberdeen, No. 54; Cockburn to Glenelg, No. 36 (1837); Cockburn to Russell, No. 20 (1840).

[542] H. V., 1834, p. 118, Colebrooke to Aberdeen, No. 36, and Cockburn to Glenelg, No. 36 (1837).

in the Colony.[543] The visits of the bishop were so infrequent that attempts were made to secure an administrative officer of the church to reside in the Bahamas. This part of the work fell on already overworked clergymen.[544] The application resulted in the raising of the Bahamas to the rank of an archdeaconate. An incumbent of the place was seated in 1843.

The Dissenters.

The dissenters were more active than the established church in meeting the religious needs of the people. They had long been working in the Colony, but their influence among the lower classes was regarded as a dangerous leaven, and restrictions were placed upon them to check their progress. Some of these restrictions were removed during the agitation over the slavery question, but some of them remained until long after that time. Dissenting ministers were not allowed to perform funeral ceremonies in certain of the public burying-grounds. Even more harrowing restrictions as to marriages were retained until 1836.[545] By these regulations a dissenting minister could not legally perform a marriage ceremony in a community where there was an Anglican clergyman. In 1836 a number of marriages that had been celebrated by dissenters at the Turks Islands were legalized by a special act of the legislature.[546]

The Scotch Church was recognized by the government and was aided by the public funds, but it made no attempts to carry on extensive work among the negroes. The Wesleyans and Baptists were most active. These two bodies sent capable leaders to the Bahamas. The Wesleyans seemed to pursue the policy of locating where the established church was already planted.[547] The Baptists struck out into new fields in addition to those which others had occupied. These sectarians were evangelists, not catechists. The old restrictions on the preaching of ignorant persons had been removed, and negroes now entered the lists of ministers.[548] Francis Cockburn, himself a churchman almost to the point of bigotry, saw in this the most dire consequences threatening the Colony. He desired the strict licensing of all preachers and teachers of religion, and inquired of Lord Glenelg as to the expediency of thus

[543] Cockburn to Russell, No. 44.
[544] Cockburn to Stanley, No. 22.
[545] See account of difficulty in regard to this in H. V., 1835-6, pp. 43-45 and 64.
[546] H. V., 1835-36, p. 64.
[547] Cockburn to Russell, No. 44.
[548] Cockburn to Glenelg, No. 105.

restraining these dangerous persons. In 1840 came Henry Capern, a Baptist missionary, preaching freedom of worship and freedom of attendance on religious services, and the fear of God, not of man.[549] On his arrival at Nassau he failed to notify the Governor of his coming. Entering at once on the work of his mission he was very successful. The negroes flocked to hear him and great numbers of them allied themselves with his congregation. Even the scholars from the Anglican schools went over to him. His methods annoyed the Governor. The latter became much more urgent for an increase in the clerical staff of the Anglican body.[550] Cockburn thought that Capern was discourteous to him, as Governor, and that his teaching was dangerous to the public order. The latter refused to sign the indenture for the apprenticeship of a negro girl, objecting that it was "against his principles as a Baptist to sign a contract which required attendance on the worship of the established church." He wrote articles for an opposition newspaper at Nassau, which added to the irritation of the Governor.[551] His unlettered negro helpers preached in the streets. Cockburn complained that this missionary was attempting to weaken the gratitude of the negroes to the home government, by insinuating that the Baptist missionary society was largely responsible for their emancipation. The Governor advised that the society which had sent out this preacher should be asked to recall him, and that a warning be sent to them as to the choice of his successor.[552] But the insubordination so much feared as a result of this man's work never occurred. The public peace was not disturbed on account of him. The Governor, loyal to his own church, disliked to see the people leave it for the sectarians. After Cockburn's departure from the Bahamas the dangerous character of the missionary disappeared, for he gave no such anxiety to Governor Mathew, the next Governor. Cockburn disavowed any belief in compulsion in religious matters,[553] but the course he advised was hardly in harmony with this statement.

In the Out-islands, especially, the sectarians gained among the negroes. In many of these places only dissenters came to teach the people. In such com-

[549] Cockburn to Russell, No. 104.

[550] Cockburn to Russell, No. 44, and to Stanley, No. 11. In the latter despatch he wrote: "Two or three additional clergymen . . . . are needed. It is lamentable to see the lower classes driven into the congregations of the sectarians, more particularly the Baptists, which are increasing every hour from the insufficiency of the numbers in our own church to afford that moral instruction that is so much needed."

[551] Cockburn to Russell, No. 149. McClure, the Scotch minister, was implicated in these publications.

[552] *Loc. cit.*

[553] *Loc. cit.*

munities almost the whole population would attend their places of worship.[854] Difficulties arose in some places. At Exuma feeling rose high between the Baptists and the churchmen. A magistrate exacted pledges of a Baptist minister not to hold public services. The pledges were not well kept. The magistrates attempted to restrain the minister and to quiet public feeling.[855] The difficulty was not settled at once. At last when it was composed a virtual victory had been gained for the dissenters.

The Education of the Negroes.

This little Colony made great efforts to educate the classes that were so long held in bondage. The wishes of the home government in many respects were disregarded, but in this one particular the local people attempted to follow the recommendations made to them as nearly as their limited means would permit. When the negroes emerged from slavery there were almost no means of education in the Bahamas outside of the meager facilities at Nassau and on New Providence Island. The local legislature had always been as parsimonious in making grants for educational purposes as for other things. Nothing like a permanent grant was attempted. In some cases grants that had been made were withdrawn after a few years, and the schools were allowed to decline. The teaching staff was not kept up and the character of the work done was very bad. The better class of the inhabitants placed little dependence on these schools. Those who could bear the expense, educated their children in England or often in the States. It became a matter of regret to the Governors that the latter country was resorted to for the education of the children of British subjects, for strange ideas were imbibed there, and respect for the institutions of the mother country was not increased thereby.[856] A great obstacle to the progress of schooling lay in the lack of equipment. There were few buildings or other material things adapted to the use of schools.[857] Within fifteen years after the emancipation of the slaves great strides were made, however, in this respect. The resources on which to rely were small, but they were husbanded with great care, and these interests were given the preference over all other claims on the

[854] Mathew to Stanley, No. 77.

[855] *Loc. cit.*, No. 42.

[856] Colebrooke to Glenelg, No. 16.

[857] Reports of Special Justices in Sess. P., 1836, 49, pp. 543-5. At the time these reports were made some school houses had been built on the Out-islands.

public purse. Compared with other colonies, where there were vastly greater material resources, the Bahamas set an example that was worthy of imitation.[559]

The first efforts in educating the negroes at public expense were made by Sir James Smyth, with the liberated Africans, at the settlements at Adelaide, Carmichael and Headquarters.[560] Buildings were erected at each of these places and superintendents were placed in charge of the schools. The Assembly was at daggers' points with the Governor and would furnish no funds for these enterprises at first.[560] The home government supplied some funds,[561] however, and special grants were made for educational purposes in some instances. In 1835 Parliament made an appropriation of £25,000 to be applied for general educational purposes, through the agency of the various societies that were undertaking the religious education of the negroes.[562] Further appropriations were made by the same body in aid of the schools established by the British and Foreign School Society.[563] These schools were continued as established, under the control of the Anglican Church, until after the passing of the apprenticeship system.

Question of the Control of the Schools.

One of the greatest needs of this Colony arose from the scarcity of persons competent to teach school. There had been no school for the training of teachers in the Colony. In many of the Out-island communities there were not only no teachers, but there was no one qualified to read the Scriptures to the people. The few native teachers were themselves so ignorant as to deter parents from sending to them at all.[564] Measures were imperatively necessary to provide for the training of teachers. An attempt to supply this need was made by the managers of the Mico Charity Fund. A normal train-

[559] Governor John Gregory on his arrival in 1849 stated in his first address to the Assembly that he "had had more than ordinary opportunity to compare what the Bahamas had done for education with what other more wealthy colonies have done, and notwithstanding your limited revenue and the heavy expense of the various departments of the public service, you have set an example worthy of imitation in giving the religious and intellectual training of the people a preference over all other demands on the public purse." H. V., 1849, 96. Francis Cockburn wrote to Lord Glenelg in 1837 that he knew of no colony where the means of education had been more liberally supplied than in the Bahamas. Ds., No. 51, to Glenelg.

[560] Balfour to Stanley, No. 28.

[560] Smyth's Ds., Nos. 31 and 72.

[561] *Loc. cit.*, No. 72, and Ds., S. St., 1831, No. 13.

[562] Ds., S. St., 1835, No. 32. On the conditions of these grants see *loc. cit.*, circ. Ds. of Nov. 16, 1835.

[563] *Loc. cit.*, circular of Nov. 16, 1835.

[564] Colebrooke to Aberdeen, No. 5.

ing school was established by them at Nassau. This institution was managed independently of the government and of the church.[865] The conduct of it by its superintendent was far from satisfactory to Francis Cockburn. The master attempted to show independence of the government by writing to the Secretary of State without sending his communication through the regular channel of the Executive,[866] and schools were established and removed without any reference to the government. The school at Nassau was well attended,[867] but Cockburn feared that the policy pursued by its managers would not serve to the best advantage the interests of those whom the fund was intended to benefit.[868] Perhaps the secret of the Governor's dissatisfaction with the conduct of this school was that the teaching of the catechism was left out in its courses, and that the rules governing it were calculated to meet the wishes of the sectarians.[869]

Before 1835 the Assembly had almost absolutely refused to provide for negro education out of the funds at its disposal. In that year an Assembly had been secured which was in a working mood and which was possessed with a disposition to benefit the freedmen. At that time began their real efforts to educate. Hitherto color lines had existed in the public schools. There was now a nominal disappearance of these lines of distinction[870] and a determination to work for the common intellectual training of all classes. The House of Assembly had at last caught the idea that it was in its province to provide means of education, primarily with a view of "disposing men to the worship of God."[871] A general comprehensive system of education was to be provided. A board of education was formed with the Governor as its president. It was given power to make rules and regulations for the government of all public schools in the Colony.[872] Local commissioners of schools were authorized. The liturgy and the catechism were to be taught, and the books used were to be such as were approved by the clergy of the Anglican Church. A certain attendance on the worship of the established church was enjoined on all scholars.[873] The Governor appointed a commission of over

[865] Cockburn to Glenelg, No. 51.
[866] Cockburn to Russell, No. 135.
[867] Cockburn to Glenelg, No. 90.
[868] *Loc. cit.*, No. 44.
[869] *Loc. cit.*, No. 104.
[870] Colebrooke to Glenelg, No. 16.
[871] H. V., 1835-6, pp. 99-100.
[872] 6 William IV, 17.
[873] *Loc. cit.*

fifty members, composed of persons of different religious persuasions, including ministers both of the established church and of the dissenting congregations.[574] The whole Colony was interested in this educating enterprise. Under the direction of the Governor a plan was formed for a school to articulate with King's College at London. Private subscriptions were made for this purpose and the legislature made an appropriation to further it.[575] The King extended his patronage to this institution,[576] but the task before the Colony was too great to be accomplished at once. Considering the chronic low state of the revenues, liberal appropriations were made, but they proved entirely inadequate to meet the requirements of those who were interested in the educational enterprises of the Bahamas.[577]

The board of education began its work under the impulse of the first agitation of the school question. Unanimity of counsels, which prevailed at first, continued only for a short time. The Governor, as president, had only a casting vote in this body of nearly sixty members.[578] The church of the Bahamas had had control of all the public schools of the Colony up to this time; it was not now disposed to relinquish that control, although the dissenters were granted a voice in the too numerous board. The regulations of the schools as far as they had been made were such as the churchmen desired. The Madras system of teaching, in which the catechism held a prominent place, was introduced, and churchmen were planning to conduct the schools on strict Anglican Church lines. The dissenters objected to this. They opposed motions having this in view, in the meetings of the board. Angry discussions ensued and contested points were discussed with increasing ill-feeling. The president of the board ceased to attend the meetings.[579] The stormy sessions continued with no apparent hope of reconciling the opposing parties. A contest was here taking form which was to stir up the Colony for several years. Attempts to remedy the existing evils were not wanting. A change in the constitution of the board was accomplished in 1839. In the

[574] Colebrooke to Glenelg, No. 16 (1836).

[575] Colebrooke to Glenelg, No. 49.

[576] King's College school was never very successful, although it had the prestige of the King's patronage. After several years of varying success, the premises on which it was located were sold by authority of the legislature. This occurred in 1849. 12 Vic., 3, Colonial Statutes.

[577] Cockburn to Glenelg, No. 51.

[578] Cockburn to Glenelg, No. 24.

[579] Cockburn to Glenelg, No. 24.

new body the clergy of the Anglican and Scotch churches were made members, and five additional members were appointed by the Governor. The senior members of the Wesleyan and Baptist missions were appointed, together with others who were admittedly favorable to the established church.[560] This would have perpetuated the control by the established church. The dissenters would not submit to it. No pretensions to harmony in the board were made this time. Stormy sessions and acrimonious discussions occurred with heightened ill-feeling.[561] The dissenters had petitioned against this plan when it was first proposed. It had passed the legislature in spite of them and they were determined that it should not operate as its movers had intended. The life of this new board was but two years in length.

The people were becoming generally stirred up over the control of their educational system. The board created in 1839 was even less satisfactory than the one before it had been. Agitation for changes in its constitution was kept up in order to create a demand for a change. Some proposed to make the Governor-in-council a supervisory board. The board of education itself petitioned against this as a supercession of the Council to its functions. Such objection was easily sustained. But a change of some kind had to be made. The old board was able to accomplish little; the Colony having entered into the educating work was not now to be allowed to leave off, after having gone so far. A board more satisfactory to all classes had become a necessity. The matter was brought into the House of Assembly. A vacant seat in the House became the occasion of a hard-fought contest at Harbor Island to return a member to fill it. Lieutenant Hamilton, a known supporter of the government, was opposed by a leader of the Wesleyan Methodists. The dissenting congregations joined together in support of the latter, and in strong opposition to the former.[562] The result of the election was the return of Lieutenant Hamilton, but this election marked well the character of the contest that had come. Public feeling over the education question rose higher than ever. The majority in the legislature were favorably disposed to the established church. Proposals to it were likely to be such as the dissenters would oppose. They contested every step. The education bill that was finally passed was favorable enough to the established church, but it was very differ-

[560] Cockburn to Glenelg, No. 22.

[561] *Loc. cit.* Cockburn requested a suspension of the royal confirmation of the act constituting this board.

[562] Cockburn to Russell, No. 95.

ent from the bill with which the discussions were begun.[563] During the debates on this measure Messrs. Capern and MaClure were in constant attendance at the House of Assembly, "appearing as most active partisans."[564] As the bill emerged finally, the board, for which it provided, differed from that of 1836 only in that the clergy of all denominations were excluded from this one.[565] This provision was inserted because it seemed impossible otherwise to reconcile the opposing parties. It was now left to parents to decide whether their children should be taught the catechism and what church they should attend. After the passage of this measure the two ministers, who had taken such active interest in it, memorialized the Queen, protesting against it as a one-sided measure. It was as far from pleasing the Anglican clergy as the clergy of the dissenters, because of the small deference paid to them.[566] The board followed the general lines of the Madras system of education, with the exception of the catechism for those children whose parents objected to it.[567] Agitation did not cease for months after the bill became a law. The Baptist missionary continued to be such a source of annoyance to the Governor, on the education question, that the latter repeated his request fr the recall of that gentleman.[568] Attempts were made to secure the repeal of this act. No further changes were made, however, for three years.[569]

[563] Cockburn wrote after the contest that "nothing short of being placed on a dead level with the established church would suit their (the dissenters') views." He was persuaded that there was more ambition than conscience in their conduct. Cockburn to Russell, Nos. 95 and 104.

[564] *Loc. cit.*

[565] 4 Vic., 5.

[566] Cockburn to Russell, No. 104. A member of the Executive Council thought that nothing short of the appointment of Messrs. Capern and MaClure would have satisfied the dissenters. Of those who were likely to be appointed to the board of education, the great majority were members of the established church. As Cockburn was to appoint the members of the board, it could not be doubtful as to the complexion of it. He appointed the Chief Justice, the Speaker of the House, one member of his Council, the Surveyor-General and the Public Secretary. A clergyman at New Providence refused to accept the tender of the Governor to make him a visitor of the schools. *Loc. cit.*, No. 146.

[567] Cockburn to Russell, Nos. 86 and 146.

[568] Cockburn to Russell, Nos. 104 and 149.

[569] Note on Cockburn and Capern. Capern's conduct from his first arrival in the Colony was objected to by the Governor. His failure to notify the Governor of his arrival was perhaps a discourtesy which could not escape the notice of the latter. Cockburn objected to Capern because he did not confine himself to spiritual instruction but meddled in politics. (Ds. to Russell, No. 95.) His teaching among the ignorant people at Carmichael was objectionable. He professed to have been sent out by the Queen for the special protection of the negroes. He disturbed

A Contest for Religious Equality.

This contest was entered into by the dissenters with a determined spirit. Their conduct was a part of the nineteenth century protest against a state church system, transferred to a small corner of the British Empire. It had its significance for the Bahamas. Some such contests had been fought out in the British colonies on the continent, before they won their independence from the British Crown. The Anglican Church had long been established in the Bahamas. It had the prestige of the support of the government backed by a great church system in the mother country. It had intrenched itself in the very life of the Colony; it had acquired control not only of the schools but also of other things as well. State and church went hand in hand, and through the latter the former controlled much in the life of the Colony. The majority of the upper classes of society attended its worship. The dissenters, on the other hand, had become very active only with the emancipation of the negroes, and gained influence chiefly among the lower classes. Their teaching had become so widespread that at this time they were able to begin taking privileges from the established church. The contest was now only fairly begun. The sectarians were here contending for recognition in the Colony of equal rights to all denominations of Christians. This partial victory was only a step in the long contest to deprive the established church of

the contentment of the Carmichael pople. These and other things were reported to Cockburn. The latter deprecated the tone of a letter that was written to these people as filled with "designing insinuations and misrepresentations." (Ds. to Russell, No. 104.) This letter enclosed in this despatch is in substance as follows: "Do not be terrified by authorities into attending this or that place of worship. Go wherever your heart inclines you. No man can interfere with you. If I cannot obtain justice for you at Nassau I will in England. Do not fear that the Queen will sanction your persecutors' conduct. You have the same rights as any white man in the West Indies. If you can be compelled to attend to religious matters, I can be also. Fear God and you have nothing else to fear."

Capern's methods in enticing the negroes away from the established church were odious to Cockburn. "The blacks of this island," he wrote, "are with few exceptions his followers." The Governor also charged that the missionary was misleading the people as to their duty to the state. "He seems to tell them that they are not to be controlled by any opinion expressed by the authorities or by recommendations from them, for Her Majesty had sent him out for their special protection."

Cockburn does not appear to have been justified in making so many complaints against the conduct of this man. The secret of his feeling would appear to be that the mission which Capern was conducting flourished at the expense of the established church, of which in his own words, the Governor had "always been a warm supporter." Ds. to Russell, No. 146. See also Ds. to Stanley, No. 11. See also above, note 550.

its control of the Colony. They saw in the state church a danger to religious equality. At this time when the negroes were coming to command themselves as free subjects, it seemed meet to the dissenters to break up this survival of an old order of things before the new citizenship became adjusted to it. Thus would future generations be spared the necessity of throwing off a vexatious system, that would in their day become more securely fastened on the Colony. The churchmen had been so accustomed to the control of the schools, dictating their policies and imposing their spirit on them, that they were reluctant to surrender that privilege. They could not regard lightly such agitation as this. It caused serious concern to them that the movement had arisen. They resisted with a determination second only to that of those who were assailing their church. The old prejudices that had existed in former times in the mother country were here to control the conduct of men. The Governor, though not active in the contest, was as filled with prejudice as any man within the confines of the Bahamas. Only slight advantages were gained at this time, but the grasp of the church was shaken. The contest was to be kept up until the Church of England in the Bahamas was disendowed and denied a preference in claims on the public purse.

Upon the location of an archdeacon in the Bahamas the incumbent of that position was made a member of the school board and chairman of the body.[590] In the following year the number of the commissioners was changed to seven, exclusive of the archdeacon. They were all laymen and appointed annually by the Governor.[591] Changes were made in response to representations of the dissenters that their clergy were excluded from membership on the board. Whether Francis Cockburn was partially responsible for the dissensions in the board, during his administration, is not easily determinable. It appears, however, that that body was less disturbed after his departure from the Colony. It is probable that the excited feelings of the people had had time to grow calm, when his successor arrived. On the expiration of the education act of 1844 objection to it was so strong that it could not be renewed. An attempt was made to give the new board a more exclusively Church of England formation. This was met by more extensive demands on the part of the dissenters. The new board was created as a committee of the Executive Council. The board could regulate the religious and secular work for the schools, but any minister had power to protest against any books

[590] 7 Vic., 14.

[591] 8 Vic., 13 and Mathew to Stanley, No. 100.

or methods employed that were objectionable. Agricultural and mechanical subjects were introduced into the curriculum. An inspector of schools was created.[504] The execution of these acts was beset with difficulties. At New Providence conditions were more favorable than in any other part of the Colony. Here the schools were most successful in operation. But there was by no means a well-developed system on this island. In the Out-islands the conditions were still very discouraging. There were almost no buildings, there were no competent teachers. The ignorance of the people was deplorable in an atmosphere in which children were growing up and coming to maturity without even the rudiments of an education. The funds of the Colony were so low that it seemed impossible to make rapid progress in improving conditions. A drouth cut off the crops in the summer of 1844, the debt of the Colony seemed to increase rather than diminish, and, in 1848, the Turks Islands, which had furnished a large portion of the revenues, were cut off from the Colony. Such were the conditions against which those who were trying to lift this veil of ignorance had to contend. A letter written by a schoolmaster at Rock Sound, Eleuthera, gives an idea of the prevailing conditions: "We opened school in this district on the 6th September in a house hired from the Wesleyan mission in this place, as no other could be found. No repairs have yet been attempted to be made on the premises, which the board of education agreed to hire from Mr. Sands, and I am inclined to think that nothing will be done to them. There were 85 children admitted to the school when it was first opened, and I regret to say that as many more were refused admission for want of room. The house we have hired is 18 by 21 feet, the only one we could get on the settlement for the purpose, and it is far too small. We have scarce room to form a class in it. It is much to be regretted that the youth of this settlement have been so long neglected. There is scarcely one in twenty of the inhabitants of New Portsmouth who can read and write. This is the case with man, woman and child, yet there is not a finer looking set of people than the young ones of this settlement. They all seem very anxious to be taught, and I have partly promised the young adults to attend two or three times a week when we have a larger schoolhouse and instruct them in the evening in a new and larger house on the commencement of the new year."[505]

[504] 10 Vic., caps. 1 and 26. Also Mathew to Grey, No. 12. It should be observed, that in all these schools, rates were paid by all patrons except a few poor persons whom the visitors in each district designated as non-rate-payers. This was the rule, the observance of it was not strict.

[505] Nesbitt to Grey, No. 49 (1847).

In spite of the adverse conditions, efforts to educate the poorer classes of the Colony were unremitting. With ever low revenues a steady increase in the appropriations was made, in order to keep pace with the growing needs of the educational establishment. A complete change had taken place in the attitude of the legislature towards those who had lately been slaves. Formerly the members of that body had excused themselves from working to ameliorate the condition of this class, and had attempted to lay the responsibility for that condition on the mother country; now on the other hand the responsibility was assumed by the colonists, and there came an ever-increasing determination to place before the negroes the best opportunities for amelioration which the Colony, with the limited resources at its command, could furnish.

Land System.

While efforts were being made to educate the negroes, it was not forgotten that provision must be made for their material welfare. As agriculture was the principal source of wealth in the Colony, it was necessary to put land into the hands of the emancipated classes. Looking at the whole group of the Bahamas it would appear that here would be a large surface for cultivation. The Islands are, in places, too barren for profitable cultivation. The coral rock, of which they are formed, is at best covered with only a thin veneer of soil, while in many places it has been washed bare by the rains. The surface of this rock is full of so-called "pot-holes" in which the soil collects. Into these openings plants are set as in flower pots. This thin soil was seriously injured and in many places exhausted, through the over-production of cotton by American royalists who came to the Colony after the American Revolution. Long before the emancipation of the slaves, these exiled planters had exhausted the best soils of the Colony, after which many of them had emigrated to places where they could carry on more profitable farming. After the emancipation, a new citizenship had arisen and the authorities determined to settle them on these same waste lands. A great deal of the land that had been occupied formerly was again in the hands of the Crown, owing to lapsed titles, and was thus available in that sense for settlement. The authorities in the government evidently knew not the experience of former attempts to cultivate these unproductive wastes. Especially was this true of William Colebrooke, who made such extensive plans for the settlements of these Africans. Some means had to be provided by which these poor people could maintain themselves. Colebrooke

thought he saw what was needed in the vacant lands. He would let down a helping hand to the people, and place them in a position where with a little exertion they could prosper.

The special magistrates under the apprenticeship system had, as an important duty, to take account of any vacant lands in the Colony that were favorable for settlement.[864] They reported several places that seemed suitable for this purpose.[865] But it was not intended to throw these lands open suddenly for settlement at the pleasure of the negroes, for whose benefit they were to be granted. Precautions were necessary to prevent danger to the value of property, and the more permanent interests of society. The progress of the occupation of the lands was to be held in check, the negroes to be guided into the production of staple crops, and not allowed to go where there was promise of immediate but merely temporary gains. The facility of obtaining lands was diminished and only cautious distribution on proper terms was to be allowed. The squatter was to be fought at every turn. The price of land was put so high that it was out of reach of the poorest class, and indeed of all who had not saved some capital.[866] Thus it was hoped to keep all the lands under the control of the government and promote a sound moral and economic state. The disposal of any lands otherwise than by public sale was forbidden.[867] Thorough cultivation was to be promoted and the possession of land made an object of reasonable desire to all. The granting of land to families and gratuitous grants were no longer permitted.[868]

Quit Rents.

Most of the Bahama lands that had been cultivated had been held under the quit rent tenure. The regulations governing these holdings had not been strictly applied. Very loose methods had prevailed in the management of them. Quit rents had fallen into arrears and the holders were careless in paying what was due.[869] Many holders were unable to pay. Even at the rate of a penny or a half-penny per acre rents were left unpaid, the lands on

[864] Sess. P., 1836, 49, p. 512.

[865] *Loc. cit.*, pp. 543-5.

[866] Ds., S. St., 1836, circ. of Jan. 20. This was the general outline of the land policy that was to be followed. The details were worked out afterwards.

[867] *Loc. cit.* This forbade the granting of lands under the quit rent tenure. See this circular in Sess. P., 1836, 48, p. 49 (10-11).

[868] Ds., S. St., 1833, No. 106.

[869] Smyth's Ds., No. 178.

which they were owing often selling for no more than 2d. or 5d. per acre.[900] On many of these vacant lands not more than one acre in ten was fit for cultivation.[901] It is not to be wondered at that the payment of quit rents was difficult to secure. The practice of remitting to delinquents also had gone so far that it would seem that arrears were allowed to accumulate, the holders anticipating that there would eventually be another remission of all they owed. In many instances the arrears amounted to more than the value of the land. If pressed for payment, the holders of such lands would prefer to surrender their titles rather than undertake to pay arrears in full. In 1831 the total arrears amounted to nearly £5000.[902] A remission was petitioned for,[903] but was not secured until 1833.[904] In 1833 was begun a more diligent application of the regulations of these holdings. Instructions were sent from home for a more strict collection of rents together with arrears due from June, 1830, up to which time they had been remitted. The lands were not dear enough to cause all holders to respond to the demands of the collector. By 1835 the arrears were so great that over 100,000 acres of land from these holdings had reverted to the Crown.[905] A better collection was secured from this time forward. No more lands were granted under this tenure, and a more determined policy was followed as to those already held under it.

Failure of Close Settlements.

While the apprenticeship system was in operation, it was determined to settle the negroes on vacant lands whenever they were able to make purchases. Hitherto, alienation of land in fee simple had been very limited in amount. The demand for such possession must have been very small, since so much land could be obtained under the quit rent tenure, payments on which were badly collected.[906] The abolition of slavery and the creation of new freemen, who were possible purchasers of land, greatly enhanced its value. Competition in some of the new settlements was very strong.[907] Measures were adopted which were calculated to promote the appropriation of land

[900] *Loc. cit.*
[901] H. V., 1831, p. 101.
[902] Smyth's Ds., No. 82.
[903] H. V., 1831, pp. 101-2.
[904] H. V., 1825, p. 92.
[905] H. V., 1835, pp. 92-94.
[906] Colebrooke to Aberdeen, No. 27.
[907] *Loc. cit.*, No. 27.

under proprietary titles. Townships and close settlements were formed and Crown lands outside of these places were not put up for sale.[608] Inside of these settlements only small lots were sold, thus tending to concentrate the population in them. A portion of the proceeds of sales was devoted to the building of roads, digging public wells, and making other improvements for the public good. A desire was thus created for the possession of these tracts. A scale of prices was adopted which was graduated according to the size of the lots. Prices were enhanced above what the permanent values warranted. Lands that could hardly have been sold for 2s. per acre sold here in some instances for £5 or £6 per acre.[609] Some of the purchasers labored by the day on the public works in order to pay for their allotments. At Pitman's Cove on Eleuthera, all the land that had been surveyed was soon disposed of and there was a considerable demand for more.[610] Eligible sites were selected wherever they could be found in the Colony, and the people were settled on them. But this kind of settlement continued only for a short time. The first flush of success carried it much farther than its permanent value justified, owing to the lack of virtue in the land itself. Colebrooke continued to form them while he remained in the Colony. Soon after his successor had assumed the government, the folly of his plan was demonstrated in the failure of these settlements. The plan was abandoned under the administration of Cockburn.

Changes Made by Cockburn.

Some other plan for the alienation of land had become a necessity. More and more of the apprentices were becoming free, and lands on which to locate them were needed. Adhering to the circular of 1836, Lord Glenelg ordered that no more Crown lands should be offered for sale for less than £1 per acre.[611] Lieutenant-Governor Cockburn objected, with good reason, that that price was too high for the Bahama lands and that the apprentices would be precluded from making purchases.[612] On application Cockburn was granted discretionary power to fix the price according to the value of the land.[613] Most

[608] Sess. P., 1840, 33, p. 69 (115). Report of Colonial Land and Emigration Commissioners on the Bahama lands, made in July, 1840.

[609] Sess. P., 1840, 33, p. 69 (115). Also Colebrooke to Glenelg, No. 79.

[610] *Loc. cit.*, Ds., No. 79.

[611] Ds., S. St., 1838, circ. of Nov. 12.

[612] Cockburn to Glenelg, No. 5.

[613] Sess. P., 1840, 33, p. 69 (112). The Marquis of Normanby, now Secretary of State for the Colonies, wrote to Cockburn to fix the minimum price at the average price for lands fit for agricultural purposes. See also Ds., S. St., 1839 (Normanby), No. 39.

of the lands that were at the disposal of the Crown in 1839 were such as had been allowed by their holders to revert, in place of paying up the quit rents due on them.[614] The Executive-in-council fixed two scales of graduated prices, one for town lots and the other for agricultural lands, the prices varying in inverse ratio as the size of the allotments. A new schedule of fees was adopted. The whole plan was based on the results of the experience of men in all parts of the Colony.[615] In the graduated scale of prices the Governor had almost exceeded his authority as granted by the instruction. It was objected to his plan that the graduated scale seemed to place a premium on the purchase of large tracts, and that small tracts were not necessary for agricultural purposes, that forty acres was as small a tract as the government ought to deal with.[616] In the following year Lord Russell authorized the granting of tracts of twenty acres at a price of 12s. per acre.[617] This was better suited to the conditions of farming in the Bahamas. The average negro farmer could not well cultivate a tract of forty acres, and it was more convenient for those with small capital to buy small tracts. The execution of the terms of the grants was satisfactory to the people.[618]

While on a tour of inspection, Governor Cockburn called a meeting of the people at the Turks Islands, and adopted a separate plan for the sale of the land there.[619] Separate schedules of prices were fixed for Grand Cay and Salt Cay.[620] At Harbor Island a change was made in the tenure of the agricultural lands. The use of the Common there had resulted in increasing difficulties to the planters. A tract of 6000 acres was sold to the people for $1000 and the grant was made to a magistrate as trustee for the whole settlement.[621] Other settlements desired grants on similar terms, but the

[614] Sess. P., 1840, 33, p. 69 (112), report of Surveyor-General in May, 1839.

[615] Cockburn to Russell, No. 62. Sess. P., 1840, 33, p. 69 (114). Here is given the schedule of fees and prices. These fees were exorbitant, in many cases almost equalling the cost of the land without them. The Governor, his Private Secretary, the Public Secretary, the Attorney-General and the Surveyor-General each received a fee from every purchase of land. Such was a part of the plan to supply land to the poor people at small cost. There were at least two unnecessary fees in this list.

[616] Sess. P., 1840, 33, p. 69 (117).

[617] Ds., S. St., 1841, No. 48.

[618] Cockburn to Russell, No. 62.

[619] *Loc. cit.*, No. 30. Sess. P., 1840, 33, p. 69 (118).

[620] *Loc. cit.* (119). These schedules were subsequently ratified by the Colonial Land and Emigration Commissioners. *Loc. cit.* (120).

[621] Sess. P., 1840, 33, p. 69 (120).

Colonial Land and Emigration Commissioners took exception to such an arbitrary manner of granting land, although the Harbor Island people expressed satisfaction with the method.

The best of these plans for granting land gave no permanent satisfaction to the holders. The prices were too high for lands of such poor quality. Squatting prevailed both under the apprenticeship system and afterwards. In 1839 the House of Assembly threw out the Governor's bill for preventing the unauthorized occupation of land.[632] The attempt of the government to put a check on this manner of occupation was thus defeated. Squatting had become such an abuse that it caused a deficiency in the supply of labor available for hire.[633] The existing law against the practice was rendered useless by its own provision, that a magistrate could not eject a squatter until he had had possession for twelve months. The process of ejectment in the courts was long and tedious. Offenders were not discouraged by this fact.[634] Public and private property alike suffered depredation. The renting of private lands was so unsatisfactory as to engender disputes, which often ended by the tenants occupying Crown lands without title.[635] The occupation of the Out-island lands had not resulted in successful farming ventures. A great deal of the land was held by large proprietors, who cultivated but small tracts and offered no continuous employment for wage labor. The difficulty of cultivating the rocky surface was also a great deterrent to cultivation. Orchards flourished in some places, and a little corn and a few vegetables were produced.[636] On Eleuthera and some of the other Out-islands pineapples were produced for the American market. But none of these yielded lucrative returns for capital invested, except the pineapples in a few small districts.

Commutation of Quit Rents.

The burden of the quit rents remained as onerous as it had been. There was the same disposition on the part of the people to neglect the payment. The House of Assembly hoped to gain a reduction in the amount of quit rents, or a grant to itself of the disposal of the funds arising from them.[637] Failing

[632] Cockburn to Glenelg, No. 9 (1839).
[633] Cockburn to Russell, No. 20.
[634] Cockburn to Stanley, No. 46.
[635] Sess. P., 1843, 29, p. 15 (28).
[636] Nesbitt to Stanley, No. 18.
[637] H. V., 1834, pp. 92-94.

to attain this, it discussed the question of commuting the whole of them in a lump sum. As these were the sole revenues of the Colony which were not at the disposal of the House of Assembly, it was not expedient for the Crown to part with the control of them without the guarantee of a fair equivalent. The House of Assembly was long unwilling either to accept the terms offered to it for a commutation, or to make any just offer. By 1845 the amount of the arrears had reached several thousand pounds, the amount falling due annually being nearly £800. Not more than one-fourth of them, it was estimated, could have been collected. Owing to the financial straits of the Colony in 1845, the Assembly was unable to offer any considerable sum to purchase the Crown's right in the lands. The Secretary of State authorized Governor Mathew to accept ten annual payments of £300 each as full commutation, if the Assembly would vote for that.[628] The Assembly took up the matter and disposed of it finally in 1846. The offer made by the Colonial Department was accepted. All arrears due on lands outside of New Providence, some of them dating back to the time of the accession of William IV, were remitted.[629] Provision was made for the collection of future rents by the Colony. Individual commutation was also provided for.

Salt Ponds.

One of the most permanent sources of wealth in the Bahamas was salt ponds. Salt was called by some the staple of the Bahamas. The warm waters surrounding these low islands contain much salt in solution, and conditions are favorable for the evaporation of them. There were adverse conditions, however. The labor of raking salt was very severe, and doubly so on account of the heat of the tropical sun. It was difficult to get laborers to work at it constantly. As long as the slave system continued, masters could apply their slave labor to it. After the emancipation the laborers were reluctant to do this severe work, and in order to induce them to engage in it, higher wages had to be paid.[630] But the salt crop itself was a precarious one at best. A few hours' rain would destroy the results of months of labor. Fortunately there was a season in the year when rains were less frequent and when salt raking could be carried on. Besides these things there was a difficulty in disposing

[628] Ds., S. St., 1845, No. 87.

[629] 9 Vic., 10. Exception was made for New Providence because it was thought that the enforcement of payment there would not work to the detriment of the holders.

[630] See Balfour to Rice, No. 39.

of the salt product. Most of it was sold to American carriers, and commercial regulations interfered with their coming to the Islands. In the production of salt, the labor was directed to the introduction of sea water into shallow ponds, by means of canals, and after it had evaporated the raking began. The canals and ponds were constructed at the public expense. The difficult part of the labor was in the raking of the salt deposits. The means by which this was carried on were most primitive, and the tenure on which the ponds were held was such as to discourage the introduction of machinery adapted to raking.[821] The salt produced at the Turks Islands was of the best quality. According to reports it was preferred in the American markets for the packing of meats. More than 96 per cent of all the salt produced in the Bahamas was produced in the Turks Islands.[822] The entire laboring population there was engaged in it.

Regulations of 1781.

Up to the year 1837 the salt ponds of the Turks Islands were regulated by the provisions of an Order-in-council, which had been enacted into a law of the Colony almost without alteration in 1824.[823] According to its provisions all residents in the Turks Islands were allowed to rake salt in the ponds. The ponds were taken possession of and operated in the name of the Crown. They were divided into shares which were distributed annually to those having head-rights. A master of slaves was entitled to a share for each slave he owned, excepting banished criminals. After the abolition of slavery, an apprentice was entitled in his own right to one-sixth of a share.[824] Five commissioners were annually elected by the inhabitants of Grand Cay, and three by those of Salt Cay, who regulated the ponds and apportioned the shares to those who were entitled to them. Persons intending to rake salt were required to appear before these commissioners "with their companies" within twenty days after the annual election. The commissioners opened canals at their discretion; appointed measurers of salt and personally supervised the measurement of the product; and together with the commander, they heard complaints of misconduct of rakers and imposed penalties on offenders against the regulations. No person engaged in the industry was allowed to work on both cays during the same year. All work was required

[821] Balfour to Rice, No. 39.
[822] H. V., 1848 (app.), pp. 22-23.
[823] See 4 Geo. IV, 5. This Order-in-council was sent out in 1781.
[824] *Loc. cit.*, and Ds., S. St., 1843, No. 127.

to be done by daylight; no Sunday labor was allowed; no slave could rake salt until he was proved to be the property of a British subject. Penalties were imposed for removing marks in the ponds, for leaving sails on board a vessel in the harbor at night and for other offenses. The most common penalty was the deprivation of the privilege of raking for the remainder of the year. All shares thus forfeited were at the disposal of the commissioners to be applied for the defense of the Islands. The regulations were annually read in public by the commissioners.[625] In the other islands the salt ponds were not held by the Crown. They were worked under one general system, under regulations made by statute. Commissioners enforced the regulations just as in the Turk Islands. Each holder of shares was required to furnish laborers in proportion to the number of shares he held.[626] None of the other islands outside of the Turks attained any considerable importance in the salt industry.

The regulations of the salt ponds at the Turks Islands were never satisfactory to all classes in the community. Although petitions had gone up for the continuance of them, discontent was frequently manifested and difficulties were constantly arising. These regulations imposed limitations on the production of salt. The annual distribution of the shares precluded the application of machinery to the raking and handling of the product. As no holder would make improvements which he would be obliged to surrender to the enjoyment of another at the end of the year, the work was still carried on in the most primitive manner. The probability of losing the whole or a part of the crop was not lessened.[627] Capital and skill were thus denied their natural advantage.[628] The one-third of the ponds distributed gratis for the benefit of the poor conferred no real benefit on them. Idle and indigent holders regularly sold their shares to larger producers or to speculators. Head-rights valued at $25 to $40 were often disposed of in this way for $1 or $5. The speculators furnished the sellers clothes, provisions or rum in lieu of money. These things were sold to the shareholders in advance, thus keeping them indebted to the speculators while the latter reaped an enormous

[625] 4 Geo. IV, 5. These regulations, sent out first in 1781, were enacted into law by the legislature in 1824. Petitions were sent in to the Assembly to make them into a law of the Colony in 1802.

[626] See 4 William IV, 45.

[627] Ds., S. St., 1844, No. 35, memorandum on the salt ponds enclosed in this despatch.

[628] *Loc. cit.*, 1843, No. 127.

profit.[639] These regulations further produced and fostered disputes between holders of allotments. Jealousies existed between those on Grand Cay and those on Salt Cay. Objections were made to being subjected to commissioners who were local men. The position of the commissioner became undesirable and odious.[640] Complaints were made that the number of the shares was too great. New arrangements were necessary. The liberated classes were entitled to come into the possession of head-rights in their own name, and justice demanded that they should be allowed to have their right.

Changes were undertaken in 1837 in order to meet the demands of the day. All free persons above the age of twelve years were given rights to full shares, those under twelve to half shares. Apprentices were each granted one-sixth of a share. The tenure of the holdings was increased to five years.[641] At the second quinquennial distribution the negroes would receive full shares with the rest of the inhabitants. The commissioners were authorized to appropriate the proceeds of 10 per cent of the shares to the general improvement of the ponds.[642]

Introduction of Long Leases.

Discontent with these regulations was general. The people at the Turks Islands were not content with the government given them by the Colony of the Bahamas. They liked the regulations of their salt ponds no less than their whole connection with the Bahamas. Complaints were so general that changes occurred again before a redistribution of the ponds, under the five year tenure, was allowed to take place. It was desirable to institute some regulations by which the shareholders would be induced to make some outlay of capital on improvements. The increased subdivision that had occurred in the old system was most objectionable. Experience with the longer leases in the other islands had been satisfactory,[643] and the Colonial Land and Emigration Commissioners recommended in 1840 that two-thirds of the improved ponds should be granted for twenty-one years, and that the remaining one-third be granted in smaller lots on leases not exceeding ten years. They recommended that a minimum price be fixed for lots of the same size, and that the

[639] Ds., S. St., 1843, No. 127, also Cockburn to Stanley, No. 127.
[640] 4 Vic., 20 preamble. Cockburn to Russell, No. 29.
[641] 7 William IV, 11. Ds., S. St., 1843, No. 127.
[642] Cockburn to Glenelg, No. 2 (1838).
[643] Ds., S. St., 1844, No. 35. Also Sess. P., 1840, 33, p. 69 (143). Report of the Colonial Land and Emigration Commissioners.

funds derived from the sale of the leases be expended upon public works for the improvement of the ponds, and further that these regulations should apply to all ponds in the Colony.[644] A new act of the legislature was passed adopting the first recommendations as to the long leases, but it continued for a limited period the gratuitous distribution of one-third of the shares. It provided for a temporary appropriation of the proceeds of the leases to the improvement of the ponds.[645] In making the grants, however, no minimum price was fixed and a systematic distribution was not attempted.[646] Great abuses resulted. Shares that had great value were disposed of at low prices. The fault in this lay with the Governor and the magistrate who arranged for the granting. But the people of the Turks Islands objected to the long lease system. They began to clamor for a change, even before the new system had been introduced. They feared a ruin of their interests, and the agitation was begun which led to the separation of this small group of islands from the Colony.[647] But they were unable to secure a favorable hearing from the authorities who were responsible for the new system. At the expiration of the short term leases in January, 1848, the ponds held under them were again disposed of, but on leases for twenty-one years. They received an enhanced value when put up for sale, the people being very anxious to secure them on the terms now offered.[648] This seemed to vindicate the policy of the long leases even with this short experience.

Adverse commercial conditions added to the difficulties of the salt producers. They were dependent on the American market for the disposal of their crop, and the regulations imposed by the mother country on colonial commerce were often injurious to the interests of these exporters of salt. The Free Ports Act of the preceding century[649] had allowed American vessels to come in ballast and take away salt from the Turks Islands. The ponds of the other islands were not put on the same footing.[650] The American embargo had wrought disaster to their interests. After its removal they had been able to dispose of their product regularly. But the people of the Bahamas were unable to furnish the bulky vessels that were necessary for

[644] *Loc. cit.*, Session Papers.
[645] Ds., S. St., 1844, No. 35, enclosed memorandum.
[646] Mathew to Stanley, No. 25.
[647] See next chapter.
[648] Sess. P., 1847-8, pp. 26 and 69.
[649] Imp. Stats., 28 Geo. III, 6.
[650] H. V., 1802, 86, ff.

carrying salt cargoes. Thus the profit of carrying the product, together with that of importing it into the States, was taken by Americans. These carriers were reported to have taken Bahama salt to Canada as well as to the States.[651] A greater vexation to the inhabitant of the Turks Islands lay in the local regulations of the salt shipping. The Bahama government consistently exacted the payment of the old-time duties on the export of the product and took from the producers a great part of the profit of their industry. In 1845 the market price of salt at the Turks Islands was 3¼d. per bushel. The same export tax was then collected that had been collected when salt was selling for 1s. 3d. per bushel.[652] What made it all the more vexing to the salt producer was the fact that so small a portion of the revenue that was collected in the Turks was expended there, or in any way that would benefit the Turks Islands. Remonstrance against it was without avail.[653] The pressure of this burden was removed only on the imminence of the separation of the Turks Islands from the Bahama government.

Enslavement of Bahama Negroes.

After the slave system had passed away in British territory it continued in the neighboring States and the colonies belonging to other nations. Intercourse with these territories was now beset with difficulties, owing to the continued application of the old regulations against the introduction of free negroes. Many of the sailors, on the vessels belonging to the Bahamas, were negroes and it was perilous for them to visit the neighboring ports. In 1835 William Forster, a Bahama negro, was seized in Florida and sold as a slave, under a law of that state forbidding a free negro to visit its territory.[654] The seizure was brought to the attention of the British minister at Washington, and Forster was released by the courts of the state of Florida.[655] Rumors were afloat that other seizures of the same kind had been made in the same state. The ignorant people of these Islands were not unlikely to be-

[651] Nesbitt to Stanley, No. 11 (1847).

[652] H. V., 1848 (app.), p. 27. Letter of Smith, agent of the Turks Islands in London.

[653] Ds., S. St., 1849, Ds. of Nov. 30, and enclosed memorial and petition.

[654] The law under which proceedings took place provided that any negro who might come to that state should be sent away with a warning not to return. Forster had received the warning, but on his return he had not landed. He was seized on board a vessel in one of the harbors. The seizure was thus illegal H. V., 1835-6, pp. 88-91.

[655] Cockburn to Russell, No. 37.

come entrapped in this way, as there was much commerce between this Colony and the ports of the States. As a warning for the exercise of care in visiting such ports, Lieutenant-Governor Cockburn secured a copy of the Florida law and issued a proclamation, calling attention to the provisions of it that seemed to endanger the citizens of the Bahamas.[656] As a further precaution the Assembly gave the Governor additional powers for the control of the negroes. He could now prevent the removal of a negro from the Colony except on a strict compliance with certain formalities.[657] It was rumored that Bahama whites had been engaged in purposely carrying negroes to slave territory in order to sell them into slavery, but an investigation failed to sustain any such report.[658] During the absence of Governor Cockburn from the Colony in 1842, Lieutenant-Governor Nesbitt gave much attention to the return of citizens of the Colony who were held in bondage elsewhere. He secured the release of two negroes from Cuba[659] and one from New Orleans.[660] He sent the superintendent of the Carmichael school to southeastern Cuba to obtain the release of others who were reported to be held in slavery there. The Lieutenant-Governor of the province of Holguin seized him and sent him under escort to Havana. His mission resulted in no benefit to these negroes.[661] Governor Mathew continued these efforts in behalf of those whose freedom it was necessary to make secure. It was also reported that Bahama vessels were being wantonly wrecked off the coast of Florida, for the purpose of selling their colored crews into slavery.[662] The mission to Florida in behalf of these persons was regarded as dangerous, owing to the reputed hostility of the slave owners there to those who interfered with this ill-gotten property, and it was difficult to get any one to undertake it,[663] as the arbitrary law of Florida continued to be applied. It threatened to interfere seriously with the shipping between the Bahama ports and that state.[664] Retaliation by the liberation of slaves that were brought into Bahama ports was sug-

[656] *Loc. cit.*

[657] *Loc. cit.*, and 3 Vic., 14.

[658] Cockburn to Russell, No. 68.

[659] Nesbitt to Stanley, Nos. 34 and 74.

[660] *Loc. cit.*, No. 44.

[661] *Loc. cit.*, No. 46.

[662] Governor Mathew tells in his despatches of three wrecks of this character. They were the Three Sisters, crew of twelve; the Alexander, crew of six, and the Jane, crew of five and one passenger. Mathew to Stanley, No. 84 (1845).

[663] *Loc. cit.*

[664] Mathew to Grey, No. 74.

gested, but it was not resorted to. No palliation of the evil could be secured, as it was not possible to treat with the state of Florida, and the United States government refused to regulate slavery in the States.

Condition of Labor.

The Bahamas had long since been abandoned by producers of cotton and there was nothing remunerative which could be grown to any considerable extent, on the exhausted soils of the Colony. In 1845 the Governor wrote that there were no means of employment in agriculture except in a few favored locations.[966] The salt industry which was chiefly confined to the Turks Islands, offered employment to the laborers in that group, but in other parts the male portion of the population were engaged in such agriculture as there was, and in fishing, shipbuilding, and many in the uncertain industry of wrecking.[966] Meager returns, at best, came from any of these occupations. There was, however, no considerable depletion of the population. Some did emigrate. The stern dealing with the colonists on the slavery question had caused such discontent, as to lead to the emigration of discontented persons who found it "impossible longer to live here in peace." The restrictions on commerce imposed by the British Parliament caused others to contrast their own position with that of the freedom of the neighboring States. Some left because of this. American traders coming to Eleuthera enticed away some from that place.[967] Those who left the Colony in this manner were mostly white men. As for the negro laborers, not many of them had sufficient means to enable them to emigrate. There was, however, a demand for labor in the sugar-producing colonies, and the people of the latter learned that there were unemployed laborers in the Bahamas. As early as 1838 speculators from Damarara and Guiana began coming to the Colony to make contracts with Bahama negroes for work on sugar plantations elsewhere.[968] They offered increased wages and pecuniary advances in order to induce the laborers to engage their services. To the annoyance of the government, some of the inhabitants were thus taken away. Others from Berbice later undertook the same kind of ventures.[969] These traders wanted only the men, and left their families behind. Some families were thus left destitute of support. Gover-

[966] Mathew to Stanley, No. 135.
[966] *Loc. cit.*
[967] Colebrooke to Aberdeen, No. 62.
[968] Cockburn to Glenelg, No. 75.
[969] Mathew to Stanley, No. 135.

nor Mathew attempted to prevent this evil. He secured the passage, in the Assembly, of an act to compel the exporters of labor either to choose men without families, or to embark wives and children together with the men.[670] This act was disallowed at home but it acted as a temporary check on this practice.[671]

Quiet Reigns in the Colony.

Comparative quiet had now come to the Bahamas. The freedmen had gained a certain recognition as having civil rights, and the old difficulties of the Executive with the legislature had passed. The influence of the government was paramount in the House of Assembly. The good results that had been anticipated from the separation of the Councils had been attained in part, at least, and the last dissolution of the Assembly had thrown the opposition out of power. In the new House, while some disappointments were suffered at its hands, the government was able to accomplish in the main the objects of its program. This House was the first to live out the full term for which it had been elected since 1830.

On the arrival of Governor Mathew the members of both Councils were united in action. The number of members in the Legislative Council had diminished to seven. The Governor appointed to the vacant seats Gahan and Meadows, the respective leaders of the government and opposition parties in the House of Assembly. From both he dared to expect support for his government.[672] The reception to the new Governor in 1844 had been cordial on the part of all classes, parties, and sects. It betokened for him the support of all classes, in promoting measures for the public good. The Turks Islands almost alone were discontented. Some attempts were made to organize a black man's party and to stir up partisan feeling along racial lines. The Governor asked the coöperation of the legislators in discountenancing the movement, and impressing upon the new citizens that their best interests lay in the attainment of "personal character and industry

[670] *Loc. cit.*

[671] Governor Mathew and Earl Grey corresponded in 1847 about a proposed settlement of emigrants from England, on the vacant Bahama lands. No employment offered except salt-raking, and white men were not well suited to it in this latitude. No emigrants came as a result of it. (See *e. g.* Mathew to Grey, No. 28.) Both Cockburn and Mathew recommended the Bahamas as a suitable place for a convict settlement for the West Indies. The employment that offered for the criminals was salt-raking. (Cockburn to Governor Metcalf of Jamaica, letter of February 24, 1841, and Mathew to Grey, No. 28).

[672] Mathew to Stanley, No. 6 (1844).

and not in the force of numbers."[673] Fortunately for the peace of the Colony these things were only significant of individual disaffection or ambition. No organization appeared to give cause for concern. Some violence occurred on the part of a body of Americans and others, during the negotiations over the disputed boundary between the United States and Canada, but there was no serious outbreak.[674]

Governor Mathew and Archdeacon Trew.

Governor Mathew was not allowed to go through his whole administration in quiet. His private character was irreproachable, but it was on this side that he was attacked. Archdeacon Trew of the Bahamas was his chief assailant. Angered by a fancied personal slight, he set to work to secure the downfall of the Governor. He complained to the Colonial Department in London, published a letter in the London Times falsely representing the Governor's position,[675] and was joined by unprincipled persons in spreading infamous reports connecting the Governor with a fallen woman.[676] A plot was formed, and the Receiver-General's office became the meeting-place of the parties, where invectives were loudly declaimed against Governor Mathew.[677] Petitions were sent to London and to the bishop of Jamaica praying for his recall. The archdeacon called a meeting of the local clergy, and rushed through it without discussion a set of previously prepared resolutions denouncing this alleged misconduct of the head of the government.[678] Accusations were kept up until the autumn of 1848. But the evidence in the affair was not all against the Governor. The bishop,[679] the local clergy, both Anglican and sectarian,[680] the members of the two legislative bodies, and the general public,[681] refused to believe in the accusations. The bishop reprimanded the archdeacon, and refused to admit him to holy orders. Finally the haughty ecclesiastic was humbled. He could gain no general credence for his accusations. He repented of his unprovoked course, but blundered again in attempting to make

[673] H. V., 1846-7, p. 117.

[674] Mathew to Gladstone, No. 43.

[675] Mathew to Stanley, separate Ds. of Jan. 10, 1846; also of Dec. 19, 1848.

[676] Mathew to Stanley, separate Ds. of Sept. 9, 1848.

[677] Mathew to Grey, No. 14.

[678] See Mathew to Grey, separate Ds. of Dec. 19, 1848, Nos. 1 and 2; also Ds. No. 148 (1848); also letter to the Bishop of Jamaica of Sept. 23, 1848, in Misc. Letter Book of Governors, 1838-50.

[679] Mathew to Grey, separate Ds. of Dec. 19, 1848.

[680] *Loc. cit.* Ds. of Sep. 25 and Dec. 19, 1848.

[681] Enclosures in Ds. of Mathew to Grey, No. 14 (1849).

denials of his own misconduct to the bishop. It was too late to retract. His desire to get revenge had brought him only disrepute. To some of his accomplices, participation in this affair was only an added act of baseness. Such were the associates in iniquity of one who should have been an example to the people of the Colony.

This affair caused the removal of George B. Mathew from the government of the Bahamas. The Colonial Department in London acquitted him of the charges but would no longer intrust to him the administration of the government.[863] Earl Grey, the Secretary of State for the colonies, had evidently thought that the woman, with whom he was accused, had some claims on him, for he had used his patronage to help her husband. On the discovery of this fact Earl Grey decided to recall him. On November 16, 1848, he wrote: "The confidence of Her Majesty in the administration of your patronage would be absolutely destroyed by the discovery that you are using it to provide for an unworthy woman. Nor would it be possible after it became known, for you to enjoy the respect of the colonists necessary to your due influence in the government for a proper exercise of the duties of your office." [864] He was further informed that his successor would be sent out as soon as possible, and that he might retire from the Colony as soon as he desired.[864] Governor Mathew left the Bahamas in February, 1849.

This administration marked an advance in the progress of the Colony. In many lines there had been improvement. The Governor's solicitude for the welfare of the community became the subject of remark in the address of the Executive Council, which was nearest to him in the government.[865] The House address was eloquent in praise of his efforts for the good of the Colony. It acknowledged the business ability of his administration, his accessibility to all classes, and expressed its appreciation of his efforts "to carry out every measure calculated for the advantage of the Colony and the community." His success therein was manifest on every side, in every department of the public service, and in every establishment at Nassau.[866] The people acknowledged the advances made in the educational establishment. On his assumption of the government, wrote the Governor, "the statute book was suited to the eighteenth century; a poll-tax on strangers impeded trade, the poorhouse at Nassau

[863] Ds., S. St., 1848, separate Ds. of Nov. 16.
[864] *Loc. cit.*
[864] *Loc. cit.*
[865] Mathew to Grey, No. 14 (1849), enclosure No. 1.
[866] *Loc. cit.*, address of the House.

was the sole public institution and the militia was but a name."[467] In spite of the famine and depression in trade during his administration of four years the colonial debt had been reduced and a surplus revenue secured; the poor establishment was enlarged and a hospital and dispensary established; a public library was added to the equipment for education; the militia was placed on a substantial basis; the civil list was adjusted to the existing needs of the Colony and the efficiency of the officials was increased; salt ponds were everywhere worked, fruit growing extended and the tariff schedules readjusted; in every department the colonial service experienced the touch of an administrator.[468] It was a hard fate that this man who had done so much for the Colony, the first Governor in the nineteenth century who had been able to secure harmony in the government service, should have become the mark of all the calumnies that were heaped upon George B. Mathew. "A prophet is not without honor save in his own country."

LATER HISTORY OF THE BAHAMAS.

During the latter half of the nineteenth century the people of the Bahamas have remained contented under British rule. The slavery question passed out of men's minds and the control of local affairs was taken into other hands than those of the radical, former slaveholders. The Colony now entered upon a period of internal quiet, which with a few temporary interruptions has continued to the present time. Some of the more important topics in the recent history of the Colony will now be discussed briefly.

The Separation of the Turks Islands from the Bahamas.

Before the close of Governor Mathew's term of office in 1849, the territory of the Bahamas was decreased by the separation of Turks Islands. This small group of islands, situated 500 miles from the capital of the Colony, had never been contented under the Bahama government. The people of Turks Islands claimed that they did not belong to the Bahamas, and after refusing to participate in the government, submitted to it only by the order of a proclamation from the Crown. Still it was odious to them to accept the government of a Colony in whose interests they shared so little. While the Bahamas were almost wholly agricultural, the Turks Islands produced nothing but salt. When the former legislated to protect agricultural interests, the regulations often

[467] See Mathew to Grey, No. 71.
[468] Mathew to Grey, No. 71, and the addresses above referred to.

bore with grievous weight on the latter. The Turks Islands were also so far removed from the seat of government as to gain little benefit from connection with the Colony. Communication with Nassau was hindered by a long stretch of treacherous seas, swept with tides and full of dangerous rocks. Contrary winds added to the difficulty of navigating here. Intercourse with London was regular and far more frequent than that with Nassau. The evil results of this were, that little was done to preserve public order in this community; that the people here were practically denied recourse to the higher courts of the Colony; that they knew little of the conduct of the government; and worst of all, that for many years they neither participated in, nor exerted influence upon, the affairs of that government. But all these things might have been borne with, had it not been for the careless financial treatment accorded them.

Although the Turks Islands consisted of but two small islands and some insignificant cays they nevertheless contained one-tenth of the population of the Colony, and were the most important industrial community in the Bahamas. Their contribution to the public revenues was far out of proportion to their population. In the twenty years from 1827 to 1847 they yielded nearly one-fourth of the whole income of the public treasury, but their interests were left out of consideration in making up the budget of the Colony. And only about one-half of the money collected in these islands was expended in any way which would benefit their people. In 1845, when the price of salt was low, the same duty was collected on its exportation that had been taken at the beginning of the century when salt was much higher. The protective duties frequently imposed on food products, although benefiting other interests, operated prejudicially to the Turks Islands, whose people imported all their necessaries except salt.

The Turks Islands had remonstrated repeatedly against these evils, and as often prayed for relief. But this had proved to be of little avail. To many complaints a deaf ear was turned; to others the Bahama Assembly had responded with futile measures of relief. At Nassau those who controlled the government knew little and cared less about the interests of the Turks Islands, and matters grew worse instead of better. In 1844, a new set of regulations of the salt ponds was introduced. The old short term leases that had prevailed for many years were superseded by a system of long ones. The people feared ruin from these new measures. Burdened as they were in other ways they could not submit to what they considered to be a new imposition. They protested against it. They seized upon their connection with the Bahama gov-

ernment as the cause of this new difficulty and clamored for a separation from the Colony. The agitation begun over this really wise change in the conduct of the salt ponds led to a long series of complaints, and in urging the question of the separation, the people reiterated all their past grievances.

The authorities at London and the Governor at Nassau investigated the conditions and found that there were legitimate causes of complaint. Chief among these was the financial grievance, already mentioned. Attempts were made to remedy the evils and to reconcile the people to the Colonial government. They were not, however, to be thus diverted from the real object of their petitions. They were not discouraged by the refusal of a hearing to their agent in London or by the rejection of their petition for the separation. They were determined, if possible, to be severed from the oppressive Colony. They never lost the confidence that their object would be attained if the actual conditions could be brought to the attention of the authorities.

Governor Mathew at first minimized the importance of their grievances and represented that the agitation was due to a few disaffected individuals. But upon a thorough investigation of the conditions he admitted the existence of the evils, and in 1847 recommended the separation. The Turks Islands did not cease, however, in their efforts to secure the great object they desired. Earl Grey, who took charge of the Colonial Department in 1846, was the third Colonial Secretary to whom they had applied for this purpose, and at last in 1848, he sent to the Governor plans for the separation. The latter framed a bill embodying the terms on which it was to be allowed, secured its passage through the reluctant legislature, and the connection of the Turks with the Bahamas was severed. The Caicos Islands, which lie near the Turks, were placed with them. The two groups were henceforth to be ruled by a President and Council, directed by orders of the Crown-in-council, and under the supervision of the Governor of Jamaica.

This division of the territory of the Colony relieved the Turks Islands of the burdens under which they had been laboring. They were now to be free to manage their own affairs. To the Bahamas the principal result was that of causing a temporary depletion of the public revenue, together with a slight decrease in the expenditures on account of the withdrawal of the Turks Islands. But a few years later the public revenues were as large as they had ever been.

The Public Burial-Grounds.

The established church of the Bahamas continued to exist. The contest over the control of the public schools, noticed in the preceding chapter, was

only a first step in the contest for religious equality. Other things pertaining to the state church remained as before. But now that the dissenters had succeeded in snatching this important privilege from it, they were encouraged to attempt other reforms when an opportunity offered. Although the established church failed to keep pace with the dissenters in strength of numbers, no one attempted, or desired, to sweep away the whole system at once. Among the privileges remaining to it in 1851 was the custom according to which dissenting ministers were denied the right to conduct funeral ceremonies in the public burial-grounds. A concrete example of the results of this custom brought the evil prominently to the attention of the people and aroused public sentiment. At one of the public cemeteries in New Providence a disturbance, almost amounting to a riot, occurred when an attempt was made to enforce the observance of the custom above referred to. The dissenters decided to submit to it no longer. In order to avoid further difficulties, they applied to the church wardens of the several parishes on the island to remove this discrimination against their ministers. The wardens of Christ Church parish laid the petition before the Governor. He ignored it and the wardens refused to consider it further.

This was only a temporary check on the dissenters. They were determined to bring about a change. They regarded the necessity of employing Anglican ministers at all funerals as a restriction on their rights of conscience. In a public meeting they resolved to appeal to the legislature to remove the grievance. They adopted resolutions declaring their position, and their leaders presented to the House of Assembly a petition signed by about 800 names, in which they represented that the public mind was deeply agitated over the matter and expressed fears, that unless a change soon occurred, the discontent would result in further disorders. On the other hand the members of the established church were not inactive. They were as firmly convinced of the injustice and illegality of the conduct of the dissenters as the latter were of the existence of the same things in this invidious custom. Regretting the partisan agitation they prayed that no law should be passed permitting the invasion of the long-established rights of their clergy. The House of Assembly hesitated to act on the matter, and referred it to a committee which was instructed to report on it at its next session.

In the interval between the meetings of the legislature the Governor referred the question to the bishop of Jamaica. The latter favored the views of the dissenters. Not only did he approve of the removal of the restriction, but

he also advised the government to take the initiative by submitting to the legislature a bill to carry out the reforms. Such a bill was accordingly laid before the Assembly. The House readily passed it, the Legislative Council only with reluctance. Its passage was sufficient to quiet the minds of the sectarians. The agitation ceased at once. The following year the Governor reported that although a "lamentable amount of sectarian animosity" had been aroused, the change from the old usage had operated beneficially to the state of social feeling in the Colony.

The Bahamas a Bishopric.

In 1861 the Bahamas were separated from the diocese of Jamaica and themselves erected into a bishopric, and the then archdeacon of the Colony was promoted to the seat of bishop. The established church continued to receive support from the public treasury until 1869. The disendowment came at that time as a result of the financial depression following the American Civil War. The discussion of this question of disendowment will therefore be deferred until later.

Commercial Conditions.

The Bahamas have never had a permanent trade of any great magnitude. It was long hoped that Nassau might become the center of such a commerce, and these hopes seemed about to be realized when in 1843, the Royal Mail Steam Packet Company made this port the distributing point for its West Indian mails. This arrangement, while it lasted, added greatly to the ease of communication with the outside world, but it was destined to continue only a few years. Several things contributed to lead the company to remove its base from Nassau. The harbor was not suitable for vessels carrying the mails. The route through the Bahama waters was unsafe owing to the great number of banks and projecting rocks, and other ports in the West Indies offered better anchorage and better facilities in other respects. After its removal the trade of the Colony relapsed into the old channels. The ports were less frequently visited by carriers of commerce, and the Islands again suffered from that same isolation which they had felt before. At times it was difficult even to keep up regular communication with the outside world by mail.

Blockade-Running.

A great change in commercial conditions occurred during the American Civil War. Owing to the extraordinary circumstances existing in the neigh-

boring States, the trade of the Bahamas assumed extraordinary proportions. Although the ports of the Confederacy were blockaded by American vessels of war, there was a constant intercourse between them and the Bahamas. As soon as the closure of these ports was attempted, a trade by blockade-running sprang up. Cargoes of supplies of various kinds were carried inside the lines of the hostile fleet, and exchanged for cotton grown in the South. Nassau, being only a few hundred miles from the coastline of the continent, figured conspicuously in this forbidden commerce.

Early in the war the British Foreign Office proclaimed the neutrality of the British possessions. On January 31, 1862, the Governor of the Bahamas was instructed not to allow the war vessels of either belligerent to enter or remain in any of the harbors of the Colony except under stress of weather, or by special leave of the government. The ports were not to be allowed to become bases for warlike supplies; and further belligerent men-of-war were not to take supplies in these ports, except such as were necessary for the subsistence of their crews. About the same time, another proclamation from the Crown called upon the colonial legislature to prohibit the exportation coastwise of arms, ammunition, military and naval stores. The local government, perhaps, regulated its conduct according to the letter of these instructions, but if reports are to be trusted, deliberate infractions of their spirit were allowed to take place. There was always an apparent attempt at a stern enforcement of the regulations, on the approach of the warships of the United States. On the other hand, there was a certain indulgence shown towards violations of the same, which turned out to the profit of the rebels.

Early in the year 1862 the Flambeau, an American vessel, came to Nassau. Her captain desired to come into the harbor to fill her coal bunkers from a collier which attended her. Governor Bayley denied the request and was upheld by the authorities at London. Soon after this Charles Francis Adams, the American minister at London, protested to Lord Russell against the employment of Nassau as an entrepot for contraband trade and a refuge for blockade-runners. Although a strict enforcement of neutral regulations did not require the prohibition of these practices, Lord Russell did warn British ship owners and merchants, that Great Britain would not protect their vessels against search and seizure by the American navy; and advised that the true course for them as neutrals was to refrain from the forbidden traffic, as it could only cause irritation in the relations between the United States and Great Britain. However great the inconveniences of the probable interference with this com-

merce, it was engaged in entirely at the risk of its carriers. But reports of real violations of neutrality, which were undisputed, came to the American authorities. Mr. Adams also complained that the same port was being used as a place of deposit for munitions of war for the rebellious states, and that a gunboat built in England had resorted to Nassau to receive a crew of Confederate sailors, and thence to prey upon American commerce.

Severe treatment was accorded to vessels and crews that fell into the hands of the blockading squadron. One-half of the vessels that tried to make the trip in 1862 were captured. In May, 1863, the Margaret and Jessie, plying between Nassau and Charleston, was fired upon and sunk near the island of Eleuthera by the man-of-war Rhode Island. Her commander claimed that she was engaged in legitimate trade and that she was fired on within one mile of the shore line of British territory. These claims were not sustained by the findings of the American prize court and no redress was given. In spite of the frequency of the captures the trade increased. The profits to be derived from a successful trip were so great that many were willing to undergo the risks. Great quantities of supplies were carried to Nassau from British and even from American ports, which were destined for the use of the Confederates. Trade from Liverpool and Cardiff, that could not otherwise have hoped to reach the southern States, was conducted with comparative safety through the port of Nassau. The customs officers at New York required security for the good faith of certain shipments made from there to the Bahamas. Great Britain protested against the bonding of British carriers in this way.

In the latter part of the war, the frequenting of Bahama ports by United States warships formed the subject of protests from London. Abaco, Inagua, the Biminis and other places were visited, and complaint was made that a virtual blockade was maintained at some of them. But the Bahamas were not the sole transgressors. Other parts of the British West Indies were also used as bases of the same kind of semi-hostile operations against the United States. Both sides were guilty of infractions against proper conduct. The British islands, however, profited more by it than did the American navy.

Nassau flourished. Her prosperity was altogether due to the part which her harbor and geographic position played in this commerce with the southern cities. Both imports and exports rose to a high point. The imports amounted to £274,581, in 1861, to £1,250,322 in 1862, and to £3,368,567 in 1863. The exports had stood at £141,896 in 1860. In 1861 they rose to

£195,584, in 1862, to £1,007,755, and in 1863 to £3,368,567.[aaa] The profits of a successful venture were only enhanced as the Union troops drew their lines more closely on the Confederacy and other sources of supply were cut off. Prices of necessaries became very dear in parts of the South. Trading through the blockade reached its highest point about the close of the year 1864. The imports at Nassau for that year amounted to £5,346,112, the exports to £4,672,-398. But in March, 1865, the American consul at that place reported that blockade-running had become a thing of the past. This sudden decline was doubtless due to the reopening of the southern ports after Sherman's march to the sea.

While this commerce was so flourishing, Nassau reached the high tide of her prosperity. Mercantile and professional pursuits made fortunes rapidly; but persons with fixed salaries suffered on account of the great rise in the prices of necessaries. The value of landed property at Nassau was increased to 300 and 400 per cent. Wharf space on the harbor front became so valuable that the harbor along the shoreline was filled in and several new blocks thus added to the city. Great was the profit at the expense of the belligerents. These were the halcyon days of the Bahamas, and the inhabitants still think of the days of the war as the "good old times" of prosperity and plenty.

The people were exultant over their good fortune. In 1863, Governor Bayley addressed the Assembly, dwelling on this new commerce as a principal theme in his speech. He congratulated the people that under British protection they could have commercial relations with either belligerent. On the other hand he lamented that this commerce was exposed to frequent losses at the hands of the naval power predominant in the neighboring waters. He further lamented that American publicists were insisting that the conduct of the people of the Bahamas was not consistent with relations of friendship and amity with the United States. He gloried in this prosperity, although it was at the expense of a nation struggling for self-preservation. In 1864 the Governor went still further in the same tone, but his speeches to the legislature did not meet with approval at London. The Duke of Newcastle, of the Colonial Department, refused to approve of the Governor's reference to the practice of

[aaa] A slight difference appears between the report from which these figures are taken and that given by Northcroft in his "Sketches of Summerland" (p. 303), in the item of exports for the year 1860. The figures here given are taken from the reports of Governor Rawson on the state of the colony for the years 1862 and 1863, as printed in the Session Papers of Parliament for 1864, vol. 40, p. 11, and 1865, vol. 37, p. 16.

blockade-running. He admitted, with the latter, that international comity did not bind Great Britain to repress the practice, but he warned him that blockade-running was a breach of the belligerent's right of blockade, and that the power sinned against could properly complain that the representative of the Crown of Great Britain was speaking officially and encouragingly of a practice that was injurious to its interests. It might sound well to the Bahama ear, but by doing it the Governor laid himself open to the charge of conduct unfriendly to a neighbor, thus impairing the position of the government he was serving. The Governor attempted to justify himself on the ground that eminent jurists and publicists admitted the right of running through the blockade of a belligerent. But his attempted justifications failed to remove Newcastle's objections to his speech. He was advised that whatever opinions he might hold, he was not expected, without authority, to express them respecting the relations of Great Britain and other powers; and that the spirit and tone of his address could not but be injurious to the United States. The removal of Governor Bayley from the Bahamas took place before the end of the year.

The new Governor, Rawson W. Rawson, reported that in the months of January and February, 1865, twenty vessels reached Nassau from within the blockade lines, and twelve others were run down by American cruisers. After February, only three such vessels arrived. A very sudden conclusion to a large trade. Some activity in commercial lines continued after the downfall of the Confederacy, but trade relapsed quickly into ordinary channels, and a period of stagnation followed. The great commerce was entirely due to the extraordinary set of circumstances, as Nassau was not a port to attract a large permanent trade.

State of Finances.

The revenues of the Colony had grown great without the imposition of any additional tax on imports or exports. Increases were made in the regular expenditures, the debt of the Colony was paid off, and a surplus accumulated in the treasury. These were extraordinary financial conditions. With the falling off of commerce after the close of the war, the revenue inevitably failed to keep up to the point which it had reached. Expenditures again overbalanced revenues. Before this change took place, the Colonial Department at London, noting the increase in revenue in the Colony, gave notice that it must provide out of its own funds for the salary of the Governor. Such an instruction, however, could not have been based upon a study of the permanent

finances of the Bahamas. Retrenchments now became necessary in order to keep salaries and expenditures adjusted to the depleted state of the revenues. A hurricane accompanied by an enormous destruction of property occurred in 1866, and added to the embarrassment. By 1868 the deficits had become so great as to threaten the credit of the Colony, and some difficulty was experienced in securing a readjustment of the finances.

Disendowment of the Established Church.

Convenient methods of reducing public expenditures were now sought for. Some of the members of the House of Assembly found an expedient in a proposal to withdraw the public support from the established church. The majority of the people of the Colony were not favorable to that church, and the double tax for church purposes on the members of dissenting congregations was viewed with displeasure. The process of disestablishment had been begun already, and in the then low state of the revenues it seemed to be an opportune time to begin the agitation for disendowment. A great reduction in expenditures would be effected if the cost of the church establishment were saved to the Colony.

During a session of the legislature in March, 1868, a member of the House brought up the question without previous warning. He introduced a set of resolutions embodying a scheme for the disendowment. His proposals were carried by a majority of four, and a committee was at once appointed to bring in a bill in accordance with them. Such a bill was readily passed in the House. But in the Council it was rejected. When this intelligence reached the House, Sawyer, the leading advocate of the bill, proposed to call upon the Governor to dissolve the Assembly and order a new election. The same majority that had carried this bill for the disendowment carried this proposal also. The Governor, however, regarded such a call upon him as an attempted infringement of the prerogative. He expressed his ignorance of the alleged discontent on the part of the people as to the church question, and refused to dissolve the Assembly. The House now unearthed a number of precedents for its request for the dissolution, caused the resignation of its presiding officer and adjourned for three months. Before the expiration of that period a dissolution occurred. On the meeting of the newly elected representatives in June of the same year, a disputed seat in the new House occupied first place in the deliberations of the session. According to the returns, Sawyer, who had led the attack on the established church, had failed to be elected. He

made charges of unfairness at the polls and petitioned the House to allow him to occupy the disputed seat. Counter charges, and petitions were offered in behalf of his opponent. A House committee secured information and made a report on the matter. This report may have been impartial and the subsequent action of the House just, but it was a strictly partisan vote that rejected the petitions of the Anglican candidate and allowed Sawyer to take the contested seat. Both his leadership and his vote would have been lost if his application had failed. Again he moved for a consideration of the disendowment question. Loyal churchmen attempted to postpone the evil day. But the old partisan vote carried a new bill to "amend the ecclesiastical laws of the Colony." The Legislative Council repeated its action of the preceding session and the measure was again rejected.

Such obstacles could, however, only temporarily check the progress of the dissenters. In March, 1869, the same leader pressed for the passage of the same proposal, even more importunately than before. The Council no longer stood in the way. It merely modified the sweeping character of the language of the House bill and passed it. This did not effect an immediate withdrawal of the salaries paid to church officials. The cost of each of these livings was only borne by the public until it became vacant. Then the salary was withdrawn. This effected only a gradual disendowment, but it gained the object of the dissenters and secured the retrenchment in public expenditures.

The Anglican church was not yet free. It had been given control of its property in 1869, but was still dependent on the state in other respects. On an appeal to the legislature in 1875, it was made a self-governing, voluntary religious body with privileges of holding a synod, making rules for its own government, regulating its membership and prescribing its rites, discipline, etc. At the same time some old ecclesiastical legislation was repealed. The legislature dealt with the question in a liberal and impartial spirit, and the church was relieved of an anomalous position in which it had been since the passage of the act of 1869. The disestablishment was thus completed.

The Educational Establishment.

The careful efforts in behalf of education that were begun in the decade 1830-1840 were continued. The Assembly was impressed with the need of providing adequate means of instruction, and in this it was encouraged and directed by the governors who acted with it. Since the control of the schools was wrested from the established church, no serious efforts had been made to

return to the old state of things. Therefore the public schools became non-sectarian, and religious dissensions no longer stood in the way of the development of the educational system. All classes of the people joined in the movement for popular education. The finances of the Colony were straitened, and continued to be so, but in spite of that fact a gradual expansion in the educational establishment had taken place, requiring increased appropriations from the public funds. Under the stress of financial difficulties the public grant was greatly reduced in 1869. From that time up to the present, appropriations for school purposes have been growing, these interests still being given claim to first consideration, in making up the budget of the Colony.

In the extension of the educational system great discouragements had to be met. In most of the communities that were to be served there was nothing pertaining to a school but children. In some places they were so scattered that it was difficult to bring them together. Foundations had to be laid. In 1859, there were twenty-six schools in the Bahamas employing thirty-nine teachers. All of these schools did not occupy buildings that were public school property, or that had been erected for educational purposes. Some of the houses were in a dilapidated condition; while others that were almost worthless cost the Colony exorbitant rents. The teachers were not all of the best character; while some of them were of a fair order of intelligence, and were diligent and devoted to their work, others on the other hand were very poorly equipped. In many instances teaching became a refuge for persons who were otherwise destitute of means of subsistence. The complaint was common that the teachers neglected their own intellectual advancement, thus rendering themselves unfit for efficient school work. Another difficulty was that parents showed a lack of appreciation of the advantages that were before their offspring. The veil of ignorance could only be lifted slowly.

Existing conditions were studied, however, and an attempt was made to bring them to the attention of the public. An inspectorship of schools was created. The incumbent of this position visited the schools throughout the Colony, examined them and their teachers, and made annual reports of his findings. Methods employed and progress made in other colonies were studied. Such funds as were available were applied to the execution of plans resulting from the consideration of these things. The schools of the British and Foreign School Society were taken as the model for the schools that were established. But the public treasury could not supply funds to create schools in all places where they were needed. A new system of founding

schools was introduced, which was attended with results that were most encouraging. This was the Grant-in-aid System. Under it communities that originated schools by local effort were aided by the public funds, on condition that the schools established would be non-sectarian; that they would be conducted on lines laid down by the Board of Education, and subject to the examination of the public inspector. This extended the benefits of education to a number of settlements, that might otherwise have continued without schools, and served to promote a more intelligent appreciation of the advantages of education.

A serious drawback to the progress of the schools lay in the low estimate of their value, on the part of their patrons. Many seemed indifferent to the opportunity afforded their children. The attendance was consequently poor. Some of the school rooms were reported to be a half to two-thirds empty. The schools, to be sure, could not accommodate all children of school age in the Colony, but there was room for more than were in attendance. The enervating climate, the natural indolence of many of those who were to be served, and the desire of many parents to have their children occupied in remunerative employments; these things militated against the success of the schools. The inspector, noting these conditions, repeatedly recommended the passage of a compulsory education law. After twenty years of such recommendation, the legislature at last gave attention to this apathetic indifference to educational advantages, and enacted a law requiring attendance at the schools on the part of all children between the ages of six and twelve. At first this applied only to the island of New Providence. But its salutary results there influenced the legislature to extend its provisions to certain settlements in the Out-islands. Increased attendance and an increased number of school days resulted. There were numerous instances of the application of the penalties for disregard or neglect of the law in the districts to which it applied. In 1889, this law was made applicable to every school district in the Bahamas. This regulation was not, however, without evil results. Parents were more careful to send children that came within the age limit of the law, but on the other hand, they took them from the schools as soon as they passed that limit. The attendance of those over twelve years of age was very irregular. In 1897, the age limit was raised to fourteen years with a corresponding increase in favorable results.

The payment of fees for attendance at the public schools was retained until 1886. In 1885 the inspector recommended the abolition of them. They had been difficult to collect throughout the history of the schools. The

desire to enforce a better collection took the form of making the teachers the collectors, and adding a percentage of the amount received to their salaries. This did not have the desired effect. It did produce a slight increase in the salaries in some instances, but no noticeable improvement in the character of the schools. On the other hand it imposed a needless burden on the teachers whose function was other than that of collectors of school taxes.

For a long time there was no training school for teachers in the Colony. Not only did this cause a deficiency in the recruiting of the ranks of the teachers, but it allowed a deterioration of those already employed. The inspector insisted on the necessity of providing a normal school, repeating the recommendation from year to year, until at last, in 1892, such a school was established at Nassau.

Although determined efforts have been made to educate the negroes of the Bahamas, the results have not always been encouraging. But conditions have been adverse; finances have been low; the climate is decidedly against strenuous mental activity; the majority of the population is of a race that is not characterized by vigorous intellect; the people are poor for the most part; and many of the islands are cut off from frequent communication with the outside world of intellectual activity and culture, and even the knowledge of the existence of such things is beyond many of the population. Still the means of acquiring the rudiments of an education are here; the efficiency of the teaching staff has perhaps increased in recent years, and the schools are in a condition that augurs well for the good of the Colony. In 1888 the inspector reported that "all parents within the reach of these schools who choose to relinquish small inconveniences can secure for their children the benefits of a sound and useful education." This can with as much reason be said of the schools to-day.

Conclusion.

Within the last two decades the culture of the sisal (fiber) plant has become an industry in the Bahamas. It furnishes employment for an increasing number of laborers, and even in the short period in which it has been cultivated a substantial income has accrued to those engaged in its production. It remains to be seen whether this new enterprise will afford a more permanent source of wealth than other expedients that were tried before it. There are several other industries through which the inhabitants gain a livelihood. The more important among them are fruit-farming, especially that of pineapples,

fishing, sponge-fishing, salt-raking, and the gathering of guano and marine curiosities. Cotton-planting barely survives, and the old, alluring industry of wrecking has almost passed away. Besides these things some of the inhabitants depend largely upon the hotel business, for Nassau, with her salubrious climate, is a health resort of importance. Not only private individuals but even the Colony itself has engaged in affording attractions, and providing comforts for tourists in the winter season. The local government made very liberal concessions to the present owner of the two largest hotels in Nassau in order to induce him to locate here. If finances are an index, the Colony is now enjoying a period of comparative prosperity. In the ten years up to 1902 the public revenue increased more than 32 per cent, imports nearly doubled and exports increased by one-third. In the same period the public debt increased considerably. A cable now joins Nassau with the coast of Florida, thus, as it were, bringing the place much closer to the outside world. Gradually the Colony is gaining improvements, that tend to make its island capital a more desirable place in which to live. But the emigration to the States of many of the more active spirits in the population often engages the attention of those who have local interests at heart, fearing lest it be taken as evidence of the lack of opportunity for the pursuit of attractive careers in this Colony.

BIOGRAPHICAL SKETCH.

James Martin Wright was born in Carroll County, Missouri, on December 3, 1879. He attended the public schools of his native place and graduated from the Norborne High School, Norborne, Mo., in 1897. In the fall of the same year he went to William Jewell College, Liberty, Mo. Here he pursued the classical and scientific courses until he was granted the degree of Bachelor of Arts in 1901. He entered the Johns Hopkins University in October, 1901, and since that time has been studying in the departments of History, Political Economy and Political Science. He was appointed Fellow in Political Science for the year 1903-1904. The summer of 1903 was spent in the Bahama Islands gathering material for a Study in the History of that Colony.

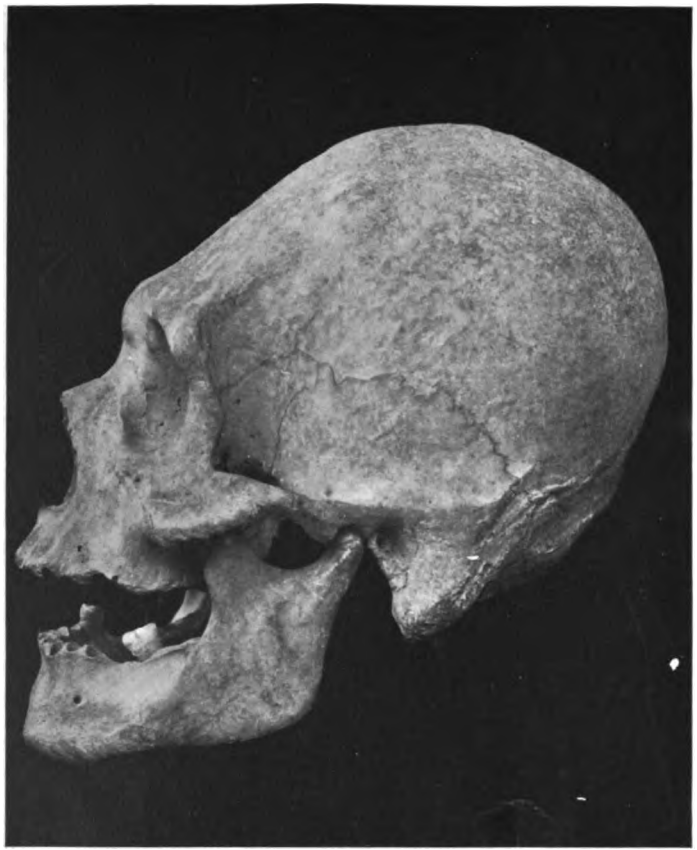

FIG. 1.—PROFILE OF LUCAYAN SKULL

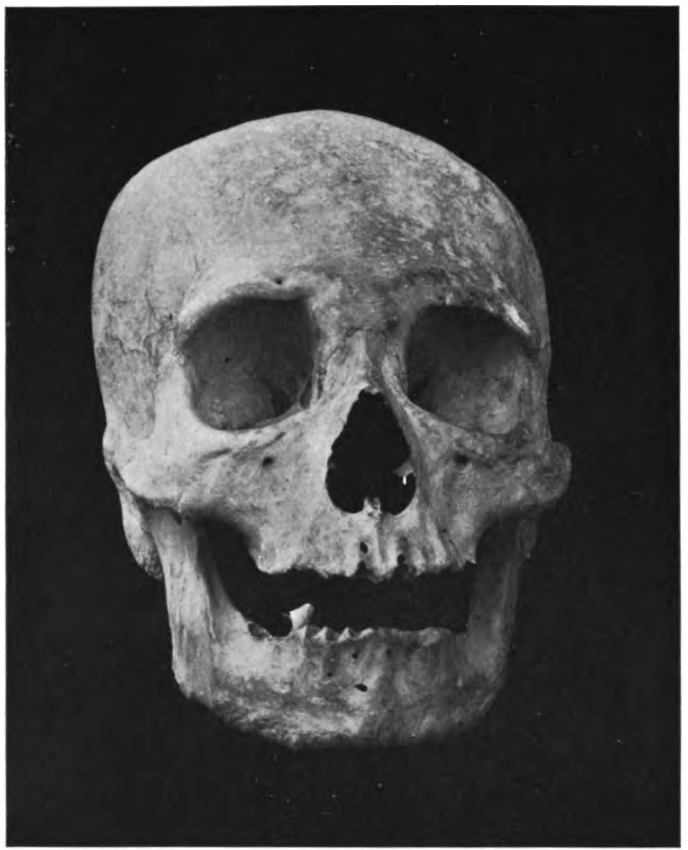

FIG. 2.—FRONT VIEW OF LUCAYAN SKULL

VIEWS ILLUSTRATING HISTORICAL RESEARCHES

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